

APPENDIX ONE – SITE SELECTION CRITERIA REPORT



Hertfordshire County Council, Dacorum Borough Council, Hertsmere Borough Council, St Albans City and District Council, Three Rivers District Council, Watford Borough Council

**Site Selection Criteria in relation to: Accommodation needs of Gypsies and Travellers in South and West Hertfordshire
Stage Two: Identification of potential Gypsy and Traveller sites in the study area**

October 2005

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1 INTRODUCTION

- 1.1 In developing the site selection criteria for this study a context review of documentation was undertaken. This comprised the review of relevant plans, documents, national guidance, data and local planning history including appeal decisions.
- 1.2 The review of documentation aided formulation of criteria devised from specific recommendations, quality standards and legislative requirements.
- 1.3 A review of planning history and previous planning appeal decisions provided information regarding reasons for refusal, impacts taken into consideration, public responses, Gypsy and Travellers needs, site specific issues and the like.
- 1.4 Criteria should be fair and reasonable but also realistic and effective. Importantly, criteria should be unambiguous.

2 CRITERIA

- 2.1 Sites will be assessed against broad and then specific criteria in a two-tiered approach. A shortlist of the main criteria to be used in the site selection process is contained in the box below.

Main Site Selection Broad and Specific Criteria Examples

- Scale should complement surroundings
- Avoid existing residential areas, town centers and most employment sites
- Consider brownfield sites
- Avoid obstructing rights of ways
- *Reasonable* buffer between sites and existing housing (to avoid noise and visual effects for example)
- Sites must be within a *reasonable* distance of:
 - Shops
 - education, specifically a primary school
 - doctors/health facilities
 - employment
 - and/or Public transport
- Access to essential services (water, sewerage, drainage and water disposal)
- Good living conditions for occupants i.e. no significant impacts from air, noise and odour pollution
- Safe access to the primary/major road network
- Is not at significant risk from flooding
- Avoids any material increase in the risk of flooding other properties
- Avoids areas with a significant level of contamination
- Avoids geological/geomorphological instability
- Avoids the greenbelt wherever possible unless on previously developed land, a minor boundary alteration or a rural exceptions site in the context of PPG3
- Avoids demonstrable harm to the archaeological and historic environment
- Avoids harm to wildlife sites and any trees and woodland in the area
- There should be the potential for a site to be effectively landscaped for mitigation of any potential impacts
- Sites should avoid 'Protected Areas': Area of Outstanding Natural Beauty; Conservation Areas, SSSIs, SAMs, RIGs, and Registered Parks and Gardens

2.2 Discussion of Criteria

- 2.2.1 The following section categorises and discusses the criteria. The search area will be assessed against broad criteria to remove certain inappropriate land from consideration. If this sift does not identify sufficient land then some of the criteria may be relaxed for example employment, distance from public transport and fixed settlements. Once sufficient sites have been identified they will be assessed against specific criteria in order to allow the identification of potential sites for Gypsy and Traveller accommodation.

2.3 Broad Criteria

o Size Constraints

- Locations should be considered capable of delivering gypsy sites and should respect the scale of and not dominate the nearest settled community. *The CURS assessment recommends smaller sites with about 15 plots or less. This provides a reasonable proxy of size for both new and extended sites. Information from the County Council's Gypsy Section suggests that a 15-plot site covers approximately one hectare. Recognition should also be given to the likely mixed residential and business uses that would be located on a site, or indeed separate sites in close proximity.*

o Planning Constraints

- Existing residential areas, town centres and the majority of employment sites shall not be considered
- Previously developed sites and empty or under-used buildings suitable for housing shall be considered. *The councils will need to provide a register of empty properties, including surplus public owned land*
- A buffer should exist between new sites and housing areas and also new sites and existing sites in order to minimise noise and adverse effects on visual amenity for example. However, a distance buffer may be reduced if, for example, a significant wall, vegetation, topography, road or railway tracks exist. *Some form of separation is recommended to achieve the peaceful and integrated co-existence between a site and the local community. This would also help to avoid the noise and disturbance from the movement of vehicles and on-site business activities, minimising the adverse effect on local residential amenity. Developing a reasonable buffer will probably work on a filtering basis where in the initial filter a distance agreed with the client and the gypsies and travellers association will be used then site surveys will further refine this distance taking into account sight lines, tree and other noise barriers etc.*
- Any identified sites should not be in the path of a right of way. *The County Council maintains the definitive Rights of Way map for Hertfordshire*
- Sites should avoid the greenbelt wherever possible unless they are on previously developed land or could constitute a minor boundary alteration or a rural exceptions site in the context of PPG3 and PPS7. *If broad areas or specific sites are in the green belt, then*

consideration can be given to the scope for green belt boundary alterations. The ODPM's consultation document states that "in certain circumstances, in particular, where a local authority's area contains a high proportion of green belt land, and no other suitable sites outside the green belt exist, an authority may, exceptionally, wish to consider a limited alteration to the defined green belt boundary to meet a specific, identified need for a gypsy and traveller site." The assessment area does contain a high proportion of green belt. The ODPM consultation document also states that "criteria-based policies in LDDs should not impose a total, blanket-ban on the establishment of sites in the green belt" (para 33). The need to demonstrate very special circumstances is retained. Consequently, it would be inappropriate to suggest a criterion that sets a total ban on gypsy or traveller sites in the green belt. Consideration must also be given to the scope for recommending 'rural exception policies' where there is insufficient affordable land available.

- Sites should avoid Areas of Outstanding Natural Beauty. Sites should not be located within an AONB, unless they are on previously developed land and unobtrusively located.
- Sites shall not be located within 'Protected Areas': Conservation Areas, SSSIs, SAMs, RIGs, Flood Plain. The ODPM consultation document states: "in areas with nationally recognized designations planning permission for gypsy and traveller sites should only be granted where it can be demonstrated that the objectives of the designation will not be compromised by the development" (para 36). Likewise, local designations should not be used in themselves to refuse planning permission for such sites. Therefore, the Government considers it would be inappropriate to suggest a policy criterion that sets a total ban on Gypsy and Traveller sites in areas with nationally recognised or local designations. However, such designations should have very considerable weight in the appraisal of potential sites.

○ **Sustainability Constraints**

- ODPM's circular 01/2006 indicates that issues of sustainability should be considered in the round, and not just in terms of transport mode and distances from services, to include co-existence between the site and the local community, easier access to GP and other health services and children attending school on a regular basis. When considering the benefits and impacts of a particular site, consideration should be given to the avoidance of environmental damage resulting from long distance travelling and unauthorized encampment.
- Sites should be located within an appropriate reasonable distance of existing services and community facilities by modes other than the car, for example: Shops; education, specifically a primary school; doctors/health facilities; an appropriate reasonable distance and or travel times should be determined for all the above. It is recommended that where the main means of transport is by private car, a distance of up to 5 miles be suggested as a reasonable

distance for access to education and health services and to shops (Friends Family and Travellers advice). Despite the fact that Gypsies and travellers are relatively mobile by culture, access to public transport would still be a desirable site attribute, which may help prioritise sites that are selected. Consultation with the client, the gypsy representative and a national Gypsy and travellers advisory organisation will be required to refine what is regarded as a reasonable distance for public transport and to factor in the public transport access variable. It is recommended that 300-500 metres for access to public transport will be used as a reasonable starting point.

- Safe access shall be available to the primary/major road network. In the initial identification of sites the existence of an access point will be a determining factors further judgements of safety will be included in the specific criteria
- A site shall have good living conditions for occupants. This could include avoidance of air, noise and odour pollution.

○ **The Physical and Environmental Constraints**

- Land with particular environmental constraints such as a significant level of contamination, instability or flood risk shall be avoided. The site should not be at significant risk from flooding, and avoids any material increase in the risk of flooding other properties. Indicative flood plain maps will be used
- Avoids demonstrable harm to the archaeological and historic environment
- Avoids harm to wildlife sites and any trees and woodland in the area
- Site should not suffer from serious air and noise pollution. The Indices of Multiple Deprivation provide data on SOA air quality. Local authorities also have data on Air quality Management Areas

2.4 Part B: Specific Criteria

○ **Size**

- The size of the site should be sufficient to allow for the planned number of caravans, parking, turning service, separate space for commercial vehicles, play area for children, access roads, including access for emergency services and construction of amenity blocks.

○ **Location**

- A buffer should be reviewed to assess if it allows the "the peaceful and integrated co-existence between a site and the local community".
- There should be the potential for a site to be effectively landscaped and therefore, sympathetic to the surrounding character, whilst not detracting from visual amenity. Good planning or landscaping can positively enhance previously developed land, untidy or derelict sites
- Public transport access is reasonable and safe: is the public transport safe in terms of crime (well lit, plenty of passing traffic or with CCTV) and in terms of road safety.

o **Services**

- Site should be checked for local drainage and stability issues
- Safe access shall be available to the primary/major road network
- A site should have provision for vehicular parking, turning and servicing on site for occupants and visitors
- A site shall not have an access point where vehicle movements would cause a significant hazard to other users, e.g. onto a bridleway or footpath
- A site shall have the capacity of existing and potential infrastructure, including public transport, water and sewerage, other utilities to absorb further development and the cost of adding further infrastructure.
- A site shall have the capacity of social infrastructure (such as schools and hospitals)
- A site should be checked for odour pollution. *This may* require consultation to ensure seasonal variation is accounted for
- There is potential for future improvements and expansion in accordance with the needs of Gypsies and Travellers

3 CONCLUSION

- 3.1 The search area will be assessed against broad criteria to remove certain inappropriate land from consideration. If sufficient land is not identified then some of the criteria may be relaxed for example distance from public transport and services. Broadly identified sites will be assessed against specific criteria in order to allow the identification of specific potential sites for Gypsy and Traveller accommodation.
- 3.2 In terms of reasonable distance, it is suggested that a basis of 200 metres as both a buffer and a maximum for access to public transport be used as a basis for further consultation. Where the main means of transport is by private car, a distance of up to 5 miles is suggested as a reasonable distance for access to education and health services and to shops.
- 3.3 Any sites will be normally located in or close by existing settlements, having regard to existing settlement and development patterns and the protection of the countryside.