



Belfast City Council

Report to:	Development Committee
Subject:	Consultation: DOE draft Policy HS 3 (Amended) 'Travellers Accommodation'
Date:	14 September 2011
Reporting Officer:	John McGrillen, Director of Development, ext 3470
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1	Relevant Background Information
1.1	Council has been asked to respond to the Department of the Environment (DOE) draft proposed changes to planning applications for Travellers' Accommodation. This sets out under what circumstances planning permission can be given for a grouped housing scheme, a serviced site or transit sites.
1.2	Under the proposals, Policy HS3 contained within PPS 12, published in July 2005, will be superseded with the following:
1.3	Where a local housing needs assessment identifies that there is a demonstrable need for Travellers specific accommodation, planning permission will be granted for a suitable facility which meets this need. This may be provided through either a grouped housing scheme, a serviced site or a transit site where the following criteria are met:
1.4	<ul style="list-style-type: none">- adequate landscaping is provided;- the development is compatible with existing and proposed buildings and structures in the area paying particular regard to environmental amenity; and- where appropriate, the provision of workspace, play space and visitor parking is provided.
1.5	Where a need is identified for a transit site or a serviced site and this cannot be accommodated within a settlement, a site adjoining, or in close proximity to a settlement; another acceptable site in the countryside should be considered. The

	exceptional release of land for such a facility should take full account of environmental considerations.
1.6	There are no specific questions for the consultation.
1.7	The Full proposal is attached in the appendix. The following online document provides further background information about PPS12: http://www.planningni.gov.uk/index/policy/policy_publications/planning_statements/pps12.htm
1.8	We have gathered responses from officers across council in producing the proposed response and this Committee paper and, in particular, from the Council's Traveller Liaison Officer and Planning Unit.
1.9	Notification of the consultation document was received by the Council on the 18 July 2011. A response is due on the 30 September 2011.

2	Key Issues
2.1	There are two main changes to the wording and both are within the same sentence. The original HS3 said: <ul style="list-style-type: none"> - "Where a need is identified for a transit site and this cannot be accommodated within a settlement, a site adjoining, or in close proximity to a settlement; other areas subject to policies of restraint, such as the Green Belt, should be considered."
2.2	The proposed change now reads: <ul style="list-style-type: none"> - "Where a need is identified for a transit site or a serviced site and this cannot be accommodated within a settlement, a site adjoining, or in close proximity to a settlement; another acceptable site in the countryside should be considered."
2.3	The advice from officers is that the proposed change is positive from the perspective of finding sites that will be acceptable to travellers and local residents, as it provides more flexibility. It may help to overcome the difficulties in securing planning permission for Traveller sites within settlements. There has been an extremely low level of new development, especially of Permanent Serviced Sites, since responsibility for Traveller site provision was transferred to the Northern Ireland Housing Executive (NIHE) in December 2003.
2.4	However some areas of concern have been identified. Firstly, experience from Wales and England has shown that Travellers sites are far more likely to be successful and avoid problems if they are set up and managed according to certain guidelines. These guidelines and good practice have been captured in Design Guides published by DOENI, ECNI & DCLG. It may be sensible to make conformance to these guidelines a condition under the revised HS3. Clear reference to these guidelines at the planning stage would also be useful from the perspective of licensing sites under the 1963 Caravans Act.
2.5	There is also some suggestion that, in other places where planning laws have been given more flexibility for assessing Traveller sites, there has not been the will to use this flexibility. This may be addressed by using an inter-agency approach to assess the general need and then an independent assessor to review specific sites.

2.6	Finally, concerns were raised that the new wording would make the policy more ambiguous in planning terms. The proposed use of the term 'countryside', whilst opening-up areas outside of existing development limits to this type of accommodation, does not provide any guidance for the consideration of this type of traveller accommodation on designated sites in the countryside, for example an Area of Outstanding Natural Beauty (AONB) or an Area of Special Scientific Interest (ASSI). Such considerations would apply to much of the 'countryside' within the Belfast City Council area.
2.7	It may be more suitable for the new policy to identify what areas of planning restraint will not be considered for this type of traveller accommodation. This would have the benefit that planning applications that realistically would not be approved, will not be submitted. This in turn would save the Department and the applicant time and expense.

3	Resource Implications
3.1	There are no resource implications.

4	Equality and Good Relations Considerations
4.1	There are obviously Equality and Good Relations implications for DOE's policy. Their equality screening and recommendations are attached to the consultation document contained in Appendix 1. The key point is shown under section 2.5. of DoE's screening report "Policy HS 3 is designed to allow for culturally appropriate accommodation for Travellers." That is, Travellers have the right to accommodation but also to accommodation that is appropriate to a nomadic lifestyle e.g. not necessarily bricks and mortar.

5	Recommendations
5.1	Members are asked to approve the draft BCC response to the consultation and raise any additional issues, relating to the consultation document, that they would like to be included.

6	Decision Tracking
Timeline: 30 September 2011 Reporting Officer: Barbary Cook	

7	Key to Abbreviations
NIHE - Northern Ireland Housing Executive DOENI - Dept. of the Environment Northern Ireland ECNI - Equality Commission Northern Ireland DCLG - Dept. of Communities and Local Government (England)	

8	Documents Attached
Appendix 1 - "Draft Amendment to Policy HS 3 - Travellers Accommodation" Department of the Environment July 2011. Appendix 2 - "Draft DOE Policy HS3 Traveller Accommodation."	