



Department of the
Environment

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Planning Policy Statement 12: Housing in Settlements

**Draft Policy HS 3 (Amended)
Travellers Accommodation**

July 2011

Public consultation: give us your views

You are invited to send your views on this draft Policy HS 3 (amended) – ‘Travellers Accommodation’ (of Planning Policy Statement 12: Housing in Settlements) and the accompanying Section 75 Equality of Opportunity Screening Analysis Form attached as Annex 1.

Comments should reflect the structure of the documents as far as possible.

All responses should be made in writing and emailed to:

planning.policy@doeni.gov.uk or sent by post to:

Draft Policy HS 3 (Amended) - ‘Travellers Accommodation’ Public Consultation
Planning Policy Division
Department of the Environment
Level 3 Millennium House
17-25 Great Victoria Street
Belfast BT2 7BN

The consultation period will end on 30th September 2011.

This document is available on the PlanningNI website:

www.planningni.gov.uk or can be obtained by telephoning (028) 90416 932, textphone at (028) 9054 0642, e-mail from planning.policy@doeni.gov.uk or by writing to the above address.

The document is available in alternative formats, please contact us to discuss your requirements.

In keeping with our policy on openness, the Department intends to publish all responses received on its website.

At the end of the consultation period the Department will consider all comments received. Following this, the draft document will be amended as necessary and, having referred the revised document to the Northern Ireland Executive Committee for consideration, it will be published in final form.

Contents

1.0 Introduction	1
2.0 Amendments to Policy HS 3 – Travellers Accommodation	2
Annex 1 – DOE Section 75 Equality of Opportunity Screening Analysis Form	3

1.0 Introduction

Travellers have distinctive needs which will be assessed as part of the local housing needs assessment undertaken by the Northern Ireland Housing Executive. Where a need is identified and a development plan is under preparation, the plan should identify a suitable site(s). However, where such sites are not identified in development plans, proposals will be assessed under the provisions of development management Policy HS 3 'Travellers Accommodation' and other relevant prevailing policy.

With the Amendment to Policy HS 3 in this document, Policy HS3 contained within PPS 12, published in July 2005, is superseded.

The Department has subjected this policy to an equality screening exercise - the outcome of which has indicated that it is unlikely to have any significant adverse implications for equality of opportunity or community relations.

2.0 HS 3 – Travellers Accommodation

HS 3 Travellers Accommodation (Amended)

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:

- 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.

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.

Justification and Amplification

Applications for grouped housing, adjacent to or near a small settlement or within a designated Dispersed Rural Community, will be considered under Policy CTY 5 of PPS 21 'Sustainable Development in the Countryside' to meet the needs of the rural community (including the distinctive needs of the travelling community).

Annex 1 – DOE Section 75 Equality of Opportunity Screening Analysis Form

1.1 Please insert below a brief description of the policy/legislation, including the title and <u>all</u> the main aims and objectives	
Title	Draft Policy HS 3 (amended) – Travellers Accommodation
Description	Existing policy on traveller accommodation provides for grouped housing, serviced sites and transit sites within, adjoining or in close proximity to settlements. Outside settlements there is provision for grouped housing and transit sites – but not serviced sites. With this document Policy HS 3 has been amended to ensure that, in such circumstances, serviced sites could be considered in the countryside where a need is identified and no other sites are available.
Aim.	To allow for culturally appropriate accommodation for Travellers

1.2 On whom will the policies/legislation impact? Please specify	
	The policy will affect applicants seeking planning permission for Travellers Accommodation.

1.3 Who is responsible for (a) devising and (b) delivering the policy, e.g. is it DRD, a Whitehall Department or EU? What is the relationship and have they considered this issue and any equality issues?	
(a)	The Department of the Environment is responsible for devising the policy.
(b)	The policy will be delivered by the Department of the Environment. The Planning Appeals Commission will also have a role through the statutory appeals process.

1.4 What linkages are there to other NI Departments/NDPBs in relation to this policy/legislation?	
	The Department of Social Development is responsible for housing policy. The Northern Ireland Housing Executive assesses housing need.

1.5 What data are available to facilitate the screening of this policy/legislation?	
	Traveller Community Planning Applications Submitted by NIHE – Since PPS

	12 was published in Final Form.
	Traveller Community Planning Applications submitted from other sources based on local knowledge within Local Area Planning Offices – Since PPS 12 was published in Final Form.
	Travellers Accommodation – Needs Assessment in Northern Ireland 2008.
	Meeting with Northern Ireland Housing Executive regarding Planning Application Statistics.
	Meeting with Travellers Support Group (An Munia Tober) to discuss Policy HS 3 'Travellers Accommodation'.

1.6 Is additional data required to facilitate screening? If so, give details of how and when it will be obtained.

	No.
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Section 2 – Screening Analysis

2.1 Is there any evidence of higher or lower participation or uptake by the following Section 75 groups?

	Yes	No
Religious belief		✓
Political opinion		✓
Racial group	✓	
Age		✓
Marital status		✓
Sexual orientation		✓
Gender		✓
Disability		✓
Dependants		✓

Please give details

This policy is designed to allow for culturally appropriate accommodation for Travellers, so uptake is higher by this group.

2.2 Is there any indication or evidence that any of the following Section 75 groups have different needs, experiences, issues and priorities in relation to this policy issue?

	Yes	No
Religious belief		✓
Political opinion		✓
Racial group	✓	
Age		✓
Marital status		✓
Sexual orientation		✓
Gender		✓
Disability		✓
Dependants		✓

Please give details

Travellers have distinctive accommodation needs, and this policy is designed to address these needs.

2.3 Have consultations with the relevant representative organisations or individuals within any of the Section 75 categories, indicated that policies of this type create problems specific to them?

	Yes	No
Religious belief		✓
Political opinion		✓
Racial group		✓
Age		✓
Marital status		✓
Sexual orientation		✓
Gender		✓
Disability		✓
Dependants		✓

Please give details of any consultations carried out, and any problems identified:

Representative of Travellers Support Group (An Munia Tober) commented that even prior to the amendment the policy was 'not perceived to be adverse in its wording' and that in terms of policy wording - HS 3 'does not present any adverse impact on travellers nor does it present a hindrance to development.'

2.4 Is there an opportunity to better promote equality of opportunity or community relations by altering the policy, or by working with others, in Government, or in the larger community in the context of this policy?

YES NO ✓

Please give details:

Not applicable.

2.5 It may be that a policy/legislation has a differential impact on a certain Section 75 group, as the policy has been developed to address an existing or historical inequality or disadvantage. If this is the case, please give details below:

Policy HS 3 is designed to allow for culturally appropriate accommodation for Travellers. It has been amended to provide for serviced sites on a suitable site in the countryside as well on a site within a settlement, a site adjoining, or in close proximity to a settlement.

2.6 Please consider if there is any way of adapting the policy to promote better equality of opportunity or good relations.

Please give details:

No alteration considered necessary.

2.7 In relation to Departmental obligations under Section 49A of the Disability Discrimination Act 1995 (DDA) (as amended by the Disability Discrimination (Northern Ireland) Order 2006), please consider if there is any way of adapting the policy to show due regard to the need to promote positive attitudes towards disabled people and/or encourage participation by disabled people in public life.

Please give details
Not applicable.

Section 3 - EQIA Recommendation

3.1 Full EQIA procedures should be carried out on policies considered to have significant implications for equality of opportunity. Please fill in the following grid in relation to the policy/legislation.

Prioritisation Factors	Significant Impact	Moderate Impact	Low Impact
Social Need.		✓	
Effect on people's daily lives.		✓	
Effect on economic, social and human rights.			✓
Strategic significance.			✓
Financial significance.			✓

Please give details:

This policy has a positive impact for Travellers.

3.2 In view of the considerations in Section 3 and 4 do you consider that this policy/legislation should be subject to a full EQIA? Please give reasons for your considerations. If you are unsure, please consult with affected groups and revisit the screening analysis accordingly. Yes/No/Unsure

No. Having regard to the foregoing the Department has concluded that the draft Amendment to Policy HS 3 – 'Travellers Accommodation' will not have any adverse effects on any Section 75 group or adversely affect equality of opportunity. Furthermore, it is considered to have a positive impact on a racial group (namely Travellers).

3.3 If an EQIA is considered necessary please comment on the priority and timing in light of the factors in table 3.1.

Not applicable.

3.4 If an EQIA is considered necessary is any data required to carry it out/ensure effective monitoring?

Please give details

Not applicable.

Main Groups Relevant to the Section 75 Categories	
<u>Category</u>	<u>Main Groups</u>
Religious belief	Protestants; Catholics; people of non-Christian faiths; people of no religious belief
Political opinion	Unionists generally; Nationalists generally; members/supporters of any political party
Racial Group	White people; Chinese; Irish Travellers; Indians; Pakistanis; Bangladeshis; Black Africans; Black Caribbean people; people with mixed ethnic group
“Men and women generally”	Men (including boys); women (including girls); trans-gendered people
Marital status	Married people; unmarried people; divorced or separated people; widowed people
Age	For most purposes, the main categories are: children under 18, people aged between 18-65, and people over 65. However, the definition of age groups will need to be sensitive to the policy under consideration
“Persons with a disability”	Disability is defined as: A physical or mental impairment, which has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities as defined in Sections 1 and 2 and Schedules 1 and 2 of the Disability Discrimination Act 1995
“Persons with dependants”	Persons with personal responsibility for the care of a child; persons with personal responsibility for the care of a person with an incapacitating disability; persons with personal responsibility for the care of a dependant elderly person
Sexual orientation	Heterosexuals; bi-sexuals; gays; lesbians