



Bolsover District Council

Gypsy and Traveller Land Availability

Assessment

March 2018

1

Introduction

National Planning Policy Framework

- 1.1 The NPPF¹ states that “Local planning authorities should use an evidence base to assess the existing and future supply of land available for housing development and its sufficiency and suitability to meet the identified needs.

National Planning Policy Guidance

- 1.2 The NPPG² provides further guidance concerning the methodology used for collecting and presenting the evidence in the ‘Housing and Economic Land Availability Assessment.’ Please note this assessment concerns Gypsy and Traveller pitches only.
- 1.3 An assessment of land availability identifies a future supply of land which is *suitable*, *available* and *achievable* for various uses over the plan period. The assessment of land availability is an important step in the preparation of Local Plans.
- 1.4 An assessment should:
- identify sites and broad locations with potential for development;
 - assess their development potential;
 - assess their suitability for development and the likelihood of development coming forward (the availability and achievability).
- 1.5 This approach ensures that all land is assessed together as part of plan preparation to identify which sites or broad locations are the most suitable and deliverable for a particular use.
- 1.6 The assessment forms a key component of the evidence base to underpin policies in the local plan for Gypsies and Travellers, including supporting the delivery of land to meet identified need for this use.
- 1.7 From the assessment, the Council will then be able to plan proactively by choosing sites to go forward into the Local Plan to meet objectively assessed needs.
- 1.8 The assessment is an important evidence source to inform plan making but does not in itself determine whether a site should be allocated for development. This is because not all sites considered in the assessment will be suitable for development (e.g. because of policy constraints or if they are unviable). It is the role of the assessment to provide information on the range of sites which are available to meet need, but it is for the Local Plan itself to determine which of those sites are the most suitable to meet those needs.

¹ Paragraph 161.

Joint Land Availability Assessment Methodology

- 2.1 To establish a common and consistent approach to land availability assessments across the authorities of the North Derbyshire and Bassetlaw Housing Market Area (Bassetlaw District Council, Bolsover District Council, Chesterfield Borough Council and North East Derbyshire District Council), a Joint Land Availability Methodology was agreed between the authorities in July 2015.
- 2.2 The assessment process broadens the previous scope which just focussed on residential land to now cover other potential land uses. The assessment can be broken down into a series of broad stages which are available through the NPPG².
- 2.3 A detailed flowchart highlighting the stages of assessment in relation to the North Derbyshire and Bassetlaw HMA has also been produced and is available in Appendix A and as a separate document. This flowchart will be used to underpin the assessment and can be broadly broken down into two stages.
- 2.4 The first stage of the assessment involved the screening of sites against a series of fundamental availability and suitability criteria. These include:
 - site ownership;
 - site threshold; and
 - site proximity to the green belt or local / national designated sites.
- 2.5 The second stage will assess sites against more specific suitability and achievability / viability criteria. These include potential physical constraints and the willingness of a developer to invest in a site.
- 2.6 At any stage a site can be discounted from further assessment. At stage one the assessment criteria are more critical. For example if, after investigation, a site does not have a known landowner it would be difficult to take the site forward in the assessment process. The same applies if a site is predominantly within the green belt or would affect a local / national designated wildlife site. During the second stage there is more discretion involved and the assessment of a site will be taken in the round being weighed up against all relevant criteria.
- 2.7 The assessment will record where sites have been discounted. Such sites may be revisited in more exceptional circumstances. For example if at the end of the assessment process there are not sufficient sites to meet objectively assessed needs.

² *National Planning Practice Guidance*, Paragraph 006, Reference ID 3-006-20140306

3

- 2.8 Sites which 'pass' the assessment may inform local plan allocations. An authority may carry out further specific site assessments when considering sites for allocation.

Site Identification

- 3.1 As part of its Regulation 18 consultation in October 2014, the Council made a call for potential development sites to inform the preparation of the Local Plan for Bolsover District.
- 3.2 In addition to this specific exercise, additional sites have been identified through the following sources:
- sites with planning permission (full or outline);
 - consultation on the Identified Strategic Options for the Local Plan for Bolsover District in October 2015;
 - consultation on the Consultation Draft Local Plan (2016) and
 - sites actively promoted by private landowners and / or developers outside Local Plan consultation exercises, such as through the Development Management process, individual promotion to the Planning Policy team or through another department of the Council.
- 3.3 To enable the effective preparation of the Publication Local Plan, the cut-off date for the inclusion of sites within this assessment stage was the 30th September.2017.
- 3.4 In total, 7 sites were identified for consideration within this assessment and the outcome of the assessment is summarised below.

Site Assessment Criteria and Summary

- 4.1 In accordance with the Joint Methodology, the assessment has been conducted in two stages but consideration will be given throughout to site availability, suitability and achievability / viability based on the provided and available information relating to the site.

Stage One: Site Screening

- 4.2 The screening criteria set out within the Joint Methodology are repeated in Figure 1 below.
- 4.3 An extra criterion has been added relating to the size of sites. The Derby, Derbyshire and East Staffordshire GTAA (2015)³ advises in relation to Bolsover District that *"Families surveyed stressed the importance of new provision being in the form of small, family sites with good facilities. They spoke about the importance of sites having sufficient space to accommodate future needs as families grow. This*

³ Derby, Derbyshire and East Staffordshire GTAA (2015) Paragraph A10.

is important to residents as having family close by is regarded as a fundamental characteristic of their culture.” Therefore, as a guide, a minimum area threshold has been set at 0.10 hectares to allow for sufficient space for families to grow, and a maximum of 0.25 ha, in order that small family sites remain relatively small.

4.4

Figure 1 - Stage One: Screening Criteria**Availability:**

- Known land owner who is prepared to make the site available for development.

Suitability:

- Capable of delivering at least 3 pitches or a minimum size of 0.10 ha but no larger than 0.25 ha to encourage smaller family sized sites.
- Predominantly outside of the green belt (unless a green belt review is undertaken)
- Predominantly outside of a European or local designated site (e.g. SSSI or LNRs)

4.5 All 7 identified sites have been assessed against the Stage 1 criteria. 5 of the sites exceed the site threshold as submitted, but have been included in the assessment. Should new information be provided during the preparation of the Local Plan for Bolsover District, for example, specifying a smaller site area, the Council will revisit this assessment.

Stage Two: Site Suitability, Achievability and Viability

- 4.6 The suitability, achievability and viability criteria set out within the Joint Methodology are repeated in Figure 2 below.

Figure 2 - Stage Two: Suitability, Achievability and Viability Criteria

Suitability:

- Level of flood risk
- Relationship to neighbouring land uses and surrounding settlement
- Access to and impact on local highways
- Proximity to HS2 and/or major transport infrastructure
- Access to key services and facilities
- Hazardous risks and/or contamination
- Site topography
- Land stability
- Pylons or high voltage cables
- Natural obstacles

Achievability and Viability:

- Known developer willing to invest in the site?
- Development considered viable
- No exceptional abnormal costs associated with the site?
- Deliverable in the life of the local plan

- 4.7 In light of the NPPG recommendations on Housing and Economic Land Availability Assessments, the following additional 'Suitability' criteria have also been applied:

- 'Impact on landscape Character'⁴⁵;
- 'Heritage conservation'⁶; and
- 'Impact on the best quality agricultural land'⁷.

- 4.8 Whilst the joint methodology lists the criteria to be considered, it does not outline how each criterion should be considered, leaving this aspect to each individual authority to determine.

- 4.9 Therefore, for this assessment, a simple traffic light system has been utilised to identify the severity of the constraint. For each criterion, guidelines have been

⁴ NPPG Housing and Economic Land Availability Assessments Paragraph: 019 Reference ID: 3-019-5

⁶ NPPG Housing and Economic Land Availability Assessments Paragraph: 019 Reference ID: 3-01920140306

⁷ NPPF Paragraph 112.

developed to identify the evidence source being used in the assessment and to detail how the individual criteria will be applied. The guidelines are shown below.

Suitability

4.10 Level of Flood risk (Fluvial and Ground Water) Evidence

source: Latest Environment Agency maps

Major constraint - High risk of flooding on 25% or more of the site

Possible constraint - High risk of flooding on between 10% and 24% of the site

No constraint - High risk of flooding on less than 10% of the site

4.11 Relationship to neighbouring land uses and surrounding settlement

Evidence source: Officer knowledge of the site

Major constraint - Close proximity to several incompatible neighbouring uses

Possible constraint - Close proximity to some incompatible neighbouring uses

No constraint - Close proximity to compatible neighbouring uses

4.12 Highways (Access to Highway network)

Evidence Source: Derbyshire County Council Highways comments

Major constraint - Third party land required to achieve acceptable access

Possible constraint - Access achievable but not straight forward / depends on detailed design

No constraint - Access achievable

4.13 Highways (Impact on highways network)

Evidence Source: Derbyshire County Council Highways comments

Major constraint - Likely unacceptable impact on highway network

Possible constraint - Depends on the findings of a Transport Assessment

No constraint - Likely acceptable impact on highway network

4.14 Proposed High Speed 2 railway line

Evidence Source: Revised Safeguarding Directions for HS 2 railway line (July 2017).

Major constraint - The proposed line passes through the site, affecting a substantial part of the site's area

Possible constraint - The proposed line skirts very close to the boundary of the site

No constraint - The site is unaffected by the proposed line.

4.15 Access to key services

Evidence Source: Settlement Hierarchy Study

Major constraint - The site has access to a limited range and small number of key services. (This is interpreted to mean sites outside Development Envelopes).

Possible constraint - The site has access to a reasonable range and number of key services. (This is interpreted to mean within or adjacent to large villages and villages.)

No constraint - The site has access to a wide range and large number of key services. (This is interpreted to mean within or adjacent to the towns of Bolsover and Shirebrook, and the emerging towns of South Normanton and Clowne.)

4.16 Hazardous Risks

Evidence Source: Hazardous Substances Consent Zones (as shown in local authority mapping software)

Major constraint - The site is constrained by a hazardous substances consent zone or an explosives safeguarding zone

Possible constraint - The site is close to a hazardous substances consent zone or an explosives safeguarding zone

No constraint - The site is unconstrained by a hazardous substances consent zone or an explosives safeguarding zone

4.17 Contamination

Evidence Source: Land Availability Assessment Form / Officer knowledge of the site

Major constraint - The site is known to be heavily contaminated

Possible constraint - Due to previous uses on the site it is possible that further investigations might be required

No constraint - Greenfield site with no record of contamination

4.18 Site Topography

Evidence Source: Land Availability Assessment Form / Officer knowledge of the site

Major constraint - Steepness of slope make the site undevelopable

Possible constraint - Steepness of slope may cause difficulty for development

No constraint - Site topography not an impediment to development

4.19 Land Stability

Evidence Source: Land Availability Assessment Form / Land Stability Zones / Officer knowledge of the site.

Major constraint - A detailed survey revealed that the site is undevelopable due to land stability concerns

Possible constraint - Either the whole site or part of the site falls within a Coal Authority High Risk zone and therefore requires a detailed investigation

No constraint - The site falls outside a high risk coal authority zone

4.20 Pylons and High Voltage Cables

Evidence Source: National Grid maps

Major constraint - A national grid high voltage cable line runs through the site or a pylon is situated on the site

Possible constraint - A national grid high voltage cable line runs close to the site or a pylon is situated close to the edge of the site

No constraint - The site is unaffected by pylons or high voltage cables

4.21 Natural Obstacles (Trees, Ponds)

Evidence Source: Land Availability Assessment Form / Officer knowledge of the site

Major constraint - Natural obstacles form major constraint to development of site

Possible constraint - Natural obstacles may be an impediment to development

No constraint - No natural obstacles identified

4.22 Landscape Character

Evidence Source: Derbyshire County Council Landscape character constraints

Major constraint - Unacceptable impact on landscape character

Possible constraint - Potential impact on landscape character

No constraint - No detrimental impact on landscape character

4.23 Heritage Conservation

Evidence Source: Bolsover District Council heritage conservation records

Major constraint - Unacceptable impact on a heritage asset or its setting

Possible constraint - Potential impact on heritage assets or their setting

No constraint - No adverse impact on heritage assets or their setting

4.24 High Quality Agricultural Land

Evidence source: Agricultural Land Classification

Major constraint - Grade 1 Agricultural land

Possible constraint - Grade 2 Agricultural land

No constraint - Grades 3 and 4 Agricultural land / Urban land

4.25 The 7 sites progressing from Stage 1 have been assessed against these Stage 2 suitability criteria and the following two sites have been assessed as having at least one major constraint for the reasons outlined:

- Pasture Lane, Hilcote (North East Plot) - Access to the Highway Network; Within safeguarding zone for HS2.
- Pasture Lane, Hilcote (North West Plot) - Access to the Highway Network, Within safeguarding zone for HS2.

4.26 The following two sites have one major constraint for the reasons outlined, but are also above the maximum threshold for a site, and although the landowner has been contacted to ask if they would make available a smaller site, the landowner has not responded to the Council.

- Pasture Lane, Hilcote (South West Plot), - Access to the Highway Network
- Pasture Lane, Hilcote (South East Plot) - Access to the Highway Network

4.27 The following site is above the maximum threshold for a site area, and although the landowner has been contacted to ask if they would make available a smaller site, the landowner has not responded to the Council.

- Land North of Rotherham Road, New Houghton.

Achievability and Viability

4.28 Known developer willing to invest

Evidence source: Land availability assessment form / Correspondence with site proponent

Major constraint - There is no evidence that a developer is willing to invest

Possible constraint - There is evidence that a developer may be willing to invest

No constraint - There is evidence that a developer is willing to invest.

4.29 Development considered viable

Evidence source: Land availability assessment form / Correspondence with site proponent

Major constraint - Costs of developing the site are likely to be prohibitive

Possible constraint - Costs of developing the site are likely to be a concern and a viability assessment is likely to be required

No constraint - Costs of developing the site are likely to be no constraint on development

4.30 Exceptional abnormal costs associated with the site

Evidence source: Land availability assessment form / Correspondence with site proponent

Major constraint - There are known exceptional abnormal costs associated with the development of the site

Possible constraint - There may be exceptional abnormal costs associated with the development of the site

No constraint - There are unlikely to be exceptional abnormal costs associated with the site

4.31 Development delivery within 5 years

Evidence source: Land availability assessment form / Correspondence with site proponent

A site is considered to be deliverable within 5 years if:

- it currently has planning permission;
- there is evidence that a developer is willing to invest;
- the costs of developing the site are likely to be no constraint on development; there are unlikely to be exceptional abnormal costs associated with the site.

4.32 Reasonable prospect delivered beyond 5 years

Evidence source: Land availability assessment form / Correspondence with site proponent

A site is considered to have **a reasonable prospect** if:

- Remediation works have taken place or are underway;
- There is evidence to suggest that a developer is willing to invest.

A site is considered to have **no reasonable prospect** if:

□ Remediation works have not taken place, nor are they planned; □
There is a lack of developer interest.

4.33 The 7 sites progressing from Stage 1 have been assessed against these Stage 2 achievability and viability criteria and the following 5 sites have been assessed as having at least one major constraint - no evidence of developer interest.

- Pasture Lane, Hilcote (South West Plot),
- Pasture lane, Hilcote (South East Plot)
- Pasture Lane, Hilcote (North East Plot) -
Pasture Lane, Hilcote (North West Plot)
- Land North of Rotherham Road, New
Houghton

5 Final Assessment and Overcoming Constraints

5.1 In accordance with the Joint Methodology, the sites have been categorised on the following basis:

- Deliverable within 0-5 years
- Developable over 5+ years
- Developable beyond 5 years on the basis that the constraints can be overcome

Sites considered deliverable within 0-5 years

5.2 The following sites were considered to have performed well in the assessment and are considered to be deliverable within 0- 5 years.

Site	No of Pitches
Hilcote Lane, Hilcote	3
Adjacent to 255A Shuttlewood Road	2
Total	5

Site considered deliverable over 5+ years

5.3 No sites were considered to be deliverable beyond 5 years.

Site considered deliverable beyond 5 years on the basis that the constraints can be overcome

5.4 The assessment has identified major constraints for the sites listed in the table below. These sites are considered to be deliverable beyond 5 years only on the basis that the constraints can be overcome. The two sites at Pasture Lane, Hilcote require highway improvements to Pasture Lane. Both of these sites and Land to the North of Rotherham Road, could be considered to be deliverable, only on the basis that a small part of the site between 0.10 ha and 0.25 ha was put forward and, also if there was developer interest in investing in the site.

Site
Pasture Lane, Hilcote (South West Plot)
Pasture lane, Hilcote (South East Plot)
Land North of Rotherham Road, New Houghton

Land Availability and Local Needs

5.5 Based on the evidence provided by the Derby and Derbyshire Gypsy and Traveller Assessment (2014) the Council has a target of 17 Gypsy and Traveller Pitches up to 2034.

- 5.6 In the period from the 1st April 2014 (the monitoring base date of the GTAA) and the 1st March 2017 (the most recent completion monitoring date), there has been 1 pitch delivered to date which will contribute to the delivery of the Local Plan Gypsy and Traveller pitch target.
- 5.7 Based on the application of the Joint Methodology, the assessment has identified 2 sites that are deliverable and that would provide approximately 5 Pitches between them. A further 11 pitches are still required to enable the Council to meet the needs for Gypsy and Traveller pitches within the plan period.
- 5.8 Beyond this, the assessment has identified a further 3 sites that were considered not to have passed the assessment. If new information was provided to the Council that could demonstrate how only a small (between 0.10 ha and 0.25 ha) part of the sites was made available, how identified constraints could be overcome, and, show that there was developer interest in investing in the site, together, these sites could provide up to a maximum of approximately 21 pitches. If further information is submitted to the Council regarding these matters the assessment will be updated accordingly.
- 5.9 Finally, it should be noted that a site appearing in or passing the assessment is not the same as a grant of planning permission. This high level assessment highlights the constraints that will need to be overcome. Based on this high level assessment it is considered that the sites to be allocated could be developed and brought forward.