

# Supplementary Guidance: Gypsy/Traveller Sites

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## 1. Status of Supplementary Guidance

This Supplementary Guidance (SG) forms part of the Development Plan and is a material consideration in the determination of planning applications.

The SG expands upon the following Aberdeen Local Development Plan policies:

- Policy H7 – Gypsy/Traveller Requirements for New Residential Developments

## 2. Introduction to Topic

The term 'Gypsies/Travellers' includes Scottish Travellers, Irish Travellers, Roma/Romany, English or Welsh Travellers and those who identify as Gypsy Travellers/Scottish Gypsy Travellers. It excludes Occupational Travellers (Travelling Show People/Show Travellers or Circus People) and New Age/New Travellers. We recognise Gypsies/Travellers as a marginalised, vulnerable group who historically have experienced discrimination and disadvantage, and so we seek to balance the needs of the Gypsies / Travellers with those of the local settled community and businesses.

It is widely accepted that there is a national shortage of authorised sites for Gypsies/Travellers. This has led to an increasing incidence of unauthorised encampments and has sometimes created tensions between Gypsies/ Travellers and the settled community. The supply of authorised sites, in appropriate locations, will help address the cycle of eviction that can be costly, and does not address the underlying need for a home.

In 2009, Aberdeen City Council, Aberdeenshire Council and Moray Council jointly appointed Craigforth to undertake an accommodation needs assessment for Grampian. The research found that pitch provision in Aberdeen was adequate, but recommended providing one alternative permanent site in Aberdeen for 6 to 8 pitches, 1 to 2 halting sites for high pressure areas, to be provided between Aberdeen and Aberdeenshire, and allowance for the development of private sites. Therefore, the successful delivery of Gypsy/Traveller Sites through the Local Development Plan is a key priority.

This process provides equity between Gypsies/Travellers and the settled community, because we follow the same process for other types of housing need and homelessness. By not providing for the identified need Gypsies/Travellers may have to resort to unauthorised sites.

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In the 2012 Aberdeen Local Development Plan (ALDP), three temporary halting sites were identified within the Opportunity Sites at Newhills, Grandhome and Loirston. Each of these sites now has an adopted Development Framework which includes the required temporary halting sites. These Opportunities Site also remain in the current ALDP 2016 and the requirement for temporary halting sites remains in Policy H7.

### 3. Permanent Sites

Where possible, sites should be developed near to housing for the settled community as part of mainstream residential developments.

Factors that are important for the sustainability and suitability of a site are:

- Means of access, availability of transport modes and distances from services.
- Promotion of integrated co-existence between the site and local community.
- Easy access to General Practitioner (GP) and other health services.
- Near to a bus route, shops and schools.
- Suitable ground conditions and levels of land.
- Not locating sites in areas of high flooding risk.

- Visual and acoustic privacy, and have characteristics which are sympathetic to the local environment.
- Consideration also needs to be given to the relatively high density of children likely to be on the site.

Sites should not be identified for Gypsy/Traveller use in locations that are inappropriate for ordinary residential dwellings, unless exceptional circumstances apply.

#### 3.1 Spacing and Layout of Sites

For practical reasons, Gypsy/Traveller sites require a greater degree of land usage per household than for smaller houses. Gypsy/Traveller sites should be designed to provide land per household that is suitable for:

- One mobile home;
- One touring caravan;
- Access to a utility building;
- Space for parking; and,
- Easy manoeuvrability of vehicles,

#### 3.2 Boundaries and Landscaping

Where a site may be located near an industrial area or process or a main road, fencing and planting may be used to screen out unpleasant characteristics.

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A range of different boundaries may be used including fences, low walls, hedges and natural features.

The aim should be to achieve a boundary that is sympathetic to, and in keeping with, the surrounding area. Boundaries can also be used to provide shelter for more exposed sites.

There is a need to provide privacy and a sense of security for the site, however more open boundaries may be used in residential areas so as to promote integration and inclusion with the surrounding community. There is a need to strike a balance between providing privacy and security for the site residents and avoiding a sense of enclosure through, for example, the use of high metal railings.

### 3.3 Health and Safety

When designing the layout of a site, careful consideration must be given to the health and safety of residents and, in particular, children given the likelihood of a high density of children on the site and relatively high levels of vehicle ownership amongst some groups of Gypsies/Travellers for towing caravans and employment purposes.

It is important to ensure that appropriate traffic calming measures are considered for all sites. Care should be taken when introducing speed humps and other measures, particularly to existing sites, to ensure that appropriate drainage is accommodated within the scheme to allow for the

effective passage of surplus water. The need for separate vehicular/pedestrian access should also be considered.

Clear and effective signage should be introduced where a speed restriction or other traffic calming measure is to apply. Similarly, clear directions should be in place to indicate the location of hydrants and other access points for the fire service etc when attending an emergency on site.

### 3.4 Access for Emergency Vehicles

It is essential that consultation with local fire and rescue service officers take place at a very early stage of designing a site. In designing a site, all routes for vehicles on the site, and for access to the site, must allow easy access for emergency vehicles and safe places for turning vehicles. Contact details for the Scottish Fire and Rescue Service are provided [here](#).

### 3.5 Play Areas

It is recommended that the inclusion of a communal recreation area for children of all ages is considered for larger sites and/or where suitable provision is not available within walking distance on a safe route or using easily accessible public transport. Specially designated play areas should be designed where possible in consultation with children and parents, to ensure they provide equipment which will be best

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used, together with the site manager in view of ongoing maintenance issues.

### 3.6 Mix of Uses

Where significant commercial or other work activity is still envisaged for a site, it is very important to ensure that the site is delineated so that residential areas are separated from areas for commercial or work use.

### 3.7 Infrastructure Requirements

The following services should be provided on site:

- Mains water supply, suitable for drinking, to be provided for each pitch on the site, sufficient to meet the reasonable demands of residents. Water pressure must be sufficient to enable the use of fire hydrants by the emergency services which should be at a convenient place near to the front of the site. Provision of an outside tap on each pitch is strongly recommended.
- The provision of mains electricity to each pitch is essential, sufficient to meet the reasonable requirements of the residents, and with separate meterage for each pitch.

- Consideration may be given to providing more than one electricity and water access point on each pitch to allow for trailers to be realigned either through resident's choice, family expansion or to cater for visitors.
- It is essential that gas installations, supplies and storage meet statutory requirements, relevant standards and codes of practice. Storage facilities compliant with health and safety regulations for Liquid Propane Gas cylinders must be provided. Since the guidance on storage is complex, developers and managers of sites are advised to see advice from their local environmental health services.
- Surface water drainage and storm water drainage must be installed.
- Wherever possible, each pitch should be connected to a public sewer.
- Appropriate lighting to enable safe movement, but minimise light pollution.
- Waste disposal scrap and storage.

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## 4. Halting Sites / Transit Sites

Halting sites (or temporary stopping places) accommodate intermittent needs for site accommodation for which a charge may be levied as determined by the Council. Sites for use as halting sites should be for a maximum of 6 pitches. Such sites are not occupied all year around but may be made available at times of increased demand.

### 4.1 Site Layout and Design

The road to and from the site must be of sufficient quality and size to enable access onto and off the site by heavy vehicles such as trailers. There must be a clear barrier around the emergency stopping place to discourage unauthorised expansion of the site.

Each pitch should provide space for:

- One towing caravan;
- One parking space; and,
- Easy manoeuvrability.

## 4.2 Services and Facilities

It is essential that the following services and facilities are provided:

- A cold water supply to be provided for the use of site residents which may be by use of water standpipe
- Portable toilets must be provided for the use of residents
- Refuse disposal facilities must be provided
- Drainage infrastructure
- Appropriate lighting to enable safe movement, but minimise light pollution

## 4.3 Health and Safety

The guidance for permanent sites applies (see 3.3).

## 4.4 Boundaries and Landscaping

Landscaping should be used to reduce the visual and noise impact from any adjacent uses and ensure that the site is inconspicuous and does not detract from the amenity of adjacent businesses.

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## 5. Site Management

Successful Gypsy/Traveller sites should provide residents with a site to allow them the freedom to carry on their lifestyle. The site should:

- be in good repair;
- be clean and tidy;
- be quiet and peaceful;
- allow people to feel at ease and not frightened;
- provide the opportunity for children to attend school;
- be close to health and other services; and,
- allow for social cohesion.

Effective site management is vital to achieving these outcomes. Below is a list of the key steps in implementing an effective site management plan:

- Get to know the site and residents.
- Identify and meet all other stakeholders.
- Agree site management outcomes and objectives with stakeholders as far as possible.
- Recruit the right staff to manage the site.

There are different methods of managing sites, especially for permanent sites and transit sites, but whatever the arrangement, there should be a named individual who lives on or regularly visits the site, acts as the landlord's direct, or at least initial, point of contact with the residents, and has a general responsibility for the day to day operation of the site. In the context of this guidance that first and local point of contact is referred to as the "site manager".

A security regime should be in place to protect the infrastructure of the site when empty.

Unused and unprotected sites can be subject to anti-social behaviour and vandalism and steps should be taken to ensure that access cannot be obtained without the owner's knowledge. Facilities should be left non-operational in such circumstances with mains water and electricity supplies shut down, and bottled gas etc stored away and protected from tampering and damage. Regular inspections should be made to ensure that the site and its facilities are in order and ready to be opened and operational again at short notice.

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## 6. **Mixed Planning Use**

Some Gypsies/Travellers operate their businesses from the site on which their caravans are stationed. Where joint commercial and residential use is proposed for a site it is important that the compatibility of both these uses with the surrounding land uses is given careful consideration.

Consideration of whether the provision is for a halting site or permanent site should be made when identifying a suitable location and the criteria in Policy H6 Gypsy and Traveller Caravan Sites are met.

## 7. **Sites Identified in Policy H7 and Affordable Housing**

Sites identified in Policy H7 – Gypsy/ Traveller Requirements for New Residential Developments will help to address shortages of site provision for Gypsies and Travellers.

For sites where the delivery is to be off-site it is expected that a commuted payment equivalent to 15 affordable units is made towards the provision of Gypsy and Traveller sites.

This provision is to be sought through negotiations to provide affordable housing within large new build developments. The contribution provided by each site equates, based on a density of 30 dwellings per hectare, to approximately 15 affordable units. Therefore, this provision would be subtracted from any affordable houses required to meet the provisions of Policy H5 of the Local Development Plan.

There is an expectation that the land identified for Gypsy and Traveller sites will be transferred to the Council or a Registered Social Landlord for the development and ongoing management.

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## 8. Guidance to Gypsies / Travellers making Planning Applications

Gypsies / Travellers have the same rights and responsibilities within the planning system as members of other communities. Planning permission is normally required for any changes of use of land. As with developments submitted by anyone the only times permission would not be required are:

- If the land has already been granted planning permission for a particular type of land use; OR
- The use of the land has been established over a period of time without valid planning enforcement action having been taken by the local authority. This time period is 4 years for a single dwelling house or building, engineering, mining or other similar physical works which do not represent a change of land use, or 10 years in all other instances.

### 8.1 Pre-Application Procedure

When looking for a site, Gypsies/ Travellers should consider whether: there are any existing sites in the area (with planning permission) available to rent or buy; the Council know of your need for land and, if so, have they identified any sites that may be available.

If there are no suitable sites available, and you are looking to buy and develop a new site, there is a need to ensure that the site you select is suitable to be granted planning permission. Therefore, you should:

- Identify your area of search. Is the reason for your looking for a particular location due to family circumstances, work or other requirements?
- Identify if there are any suitable, previously developed (i.e. brownfield), sites available?
- Consider means of access and distance to services.
- Consider closeness to the main road network.
- Consider ground conditions and levels of land.
- Consider accessibility of schools and other facilities.
- Consider the existence of landscaping.
- Consider the capability of being further screened.
- Consider the respect for neighbouring uses.



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Once you have identified a possible site contact the local planning authority who will help explain their policies and handle your enquiry. Contact details for the Planning Application Support Team are available [here](#).

You should establish whether the site you are interested in is in the Green Belt or other area of special protection. Development in such areas is subject to stricter control.

You should consider undertaking a local search to establish whether there are any restrictions (such as injunctions) on the use of the land. If there are no such restrictions you should consider whether the site meets some or all of the criteria set out in the Local Development Plan.

## 8.2 Making a Planning Application

You should make your planning application and wait for planning consent before you go on the site. Entering a site without planning permission can be a breach of planning control under the Town and Country Planning (Scotland) Act 1997 and may be subject to enforcement action. When making your application you should provide as much background information, which may include:

- The efforts you have made to find a site,
- Why you have selected the particular site and
- Details of all the people who plan to live on the site

Guidance on the application process can be found on the [Council's website](#).

Normally a Gypsy/Traveller site development will require a full application. As much detail as possible on the site, including layout, landscaping, access and number of caravans should be provided at the outset.

## 8.3 What Happens Next?

In the case of a Major Development the Council will normally make a determination within 4 months and for all other developments within 2 months. If you are refused permission, or the application has not been determined within the relevant time period, you may appeal to the Scottish Ministers. The Scottish Ministers may uphold or dismiss the appeal, or reverse or vary any part of the decision of the planning authority. This can include amending a condition previously attached to the grant of consent.

You must submit an appeal within six months of the initial application being refused. Details on how to submit an appeal and how the appeal process works are available on the [DPEA's website](#).