



# Gypsy and Traveller Site(s) Local Plan

Preferred Site: Pool Court

Regulation 18 (Stage 3) Consultation Report

Copy for public consultation  
September 2018

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## How do I comment?

The Council is inviting comments on the Gypsy and Traveller Site(s) Local Plan Preferred Site Consultation Report (September 2018) as part of a formal public consultation. It is important that we get your comments and suggestions about the preferred residential traveller site at Pool Court.

This consultation runs for 6 weeks from 10 September to 22 October 2018. You can respond in the following ways:

- **Online:** <https://consultation.lewisham.gov.uk/planning/gypsy-and-traveller-preferred-site>
- **E-mail:** [planning.policy@lewisham.gov.uk](mailto:planning.policy@lewisham.gov.uk)
- **Post:** Planning Policy, London Borough of Lewisham, 3rd Floor, Laurence House, 1 Catford Road, SE6 4RU

You can also respond by completing a questionnaire which can be filled out:

- On-line <https://consultation.lewisham.gov.uk/planning/gypsy-and-traveller-preferred-site>

Or the questionnaire can be downloaded from our website at - <https://www.lewisham.gov.uk/inmyarea/regeneration/travelling-community/Pages/default.aspx>

Copies of the document can be viewed on:

- the Council's website <https://www.lewisham.gov.uk/inmyarea/regeneration/travelling-community/Pages/Gypsy-and-Traveller-site-local-plan.aspx>
- inspected at all borough libraries and Council's Access Point, Ground Floor, Laurence House, Catford, SE6 4RU
- obtained by contacting the Planning Policy Team on 020 8314 7400 who will also be happy to answer any questions you may have.

To be considered, your comments must include your name and an email or postal address. We want to foster good relationships between all our communities and we will not consider any consultation responses that include prejudicial or discriminatory comments or language. We will not acknowledge receipt of your comments.

## **1. Introduction**

### **The Gypsy and Traveller Site(s) Local Plan**

1.1. The Housing and Planning Act (2016) includes a duty (under Section 8 of the 1985 Housing Act) for local authorities to consider the needs of "people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed."

1.2. The Gypsy and Traveller Site(s) Local Plan (GTSLP) will form part of Lewisham's development plan and will identify and designate land in the borough to accommodate the identified need for gypsy and travellers, as defined in the National Planning Policy for Traveller Sites (August 2015).

1.3. Unless otherwise specified, “the Council” means the Council acting in its capacity as the Local Planning Authority.

## **Background**

1.4. Following the closure in 2009 of a former site in Thurston Road, next to Lewisham Station, Lewisham does not have any existing sites for the gypsy and traveller community.

1.5. The Council did grant planning permission in 2008 for five pitches on a site in Church Grove, Ladywell. However, this permission was not acted upon, the planning permission has lapsed and this site is currently being developed for ‘bricks and mortar’ housing.

1.6. The Council adopted its Core Strategy in June 2011. Core Strategy Policy 2 identified criteria for selecting sites and envisaged that site(s) would be identified through a Sites Allocation DPD. However, it did not prove possible to include a site or sites in the Council’s Site Allocations Local Plan (SALP) when this was developed and adopted in June 2013. At the Examination in to the SALP, the Council confirmed its intention to bring forward a separate GTSLP by May 2014.

1.7. The Council began preparing a GTSLP in March 2013. However, other priorities meant that things did not progress as planned and preparation on the Local Plan halted.

1.8. The Council commissioned a Gypsy and Traveller Accommodation Assessment (published in June 2015) and began preparing a GTSLP again in January 2016. The 2015 Accommodation Assessment was updated in August 2016.

1.9. Full details of the Council’s site selection process are set out in the Site Selection Background Paper (March 2018). In summary, it consulted on and then approved Search Parameters and Site Selection Criteria. It then established a list of appropriate Council assets that met the approved Search Parameters and applied Site Selection Criterion 1 (Effective and efficient use of public assets) to this list and included one privately owned site to arrive at a long list of six sites. The remaining Site Selection Criteria were applied to these sites to arrive at two potential sites: Land at Pool Court (SE6) and New Cross Social Club and adjoining land (SE15). The Council consulted on two potential sites and an Integrated Impact Assessment during a six-week period in October and November 2016. Following careful consideration of issues raised and further investigations in to both sites and the findings of an updated Integrated Impact Assessment, in March 2018, the Council’s Mayor and Cabinet approved Pool Court as the preferred site.

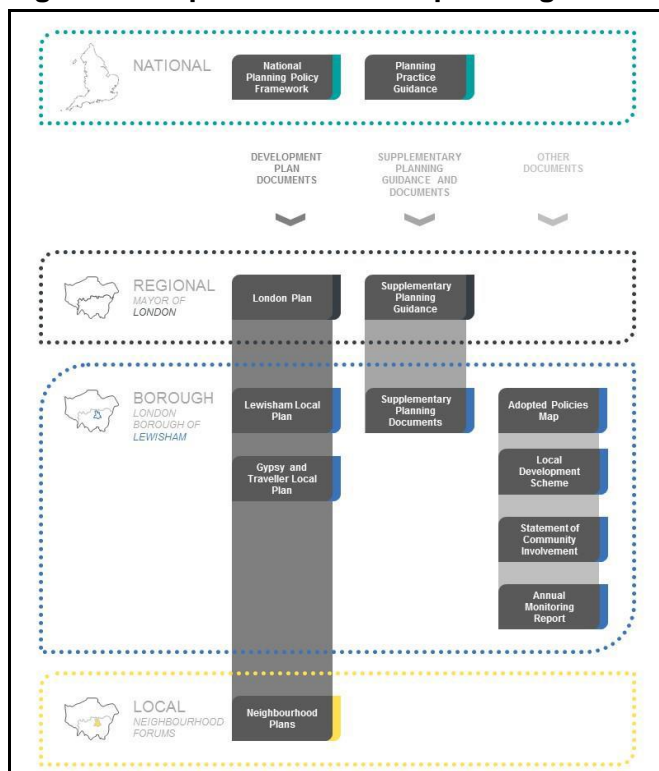
1.10. In parallel with developing a GTSLP, the Council (as Housing Authority) is developing a Gypsy and Traveller Pitch Allocation Scheme to, amongst other things, establish a fair, transparent and equitable system for the allocation of pitches on a Council managed site(s). This is to be the subject of separate consultation in due course.

## **2. How the GTSLP will fit in with Lewisham’s planning framework**

2.1. Lewisham’s existing planning framework comprises the adopted Core Strategy, Site Allocations Local Plan, Lewisham Town Centre Local Plan (February 2014) and Development Management Local Plan (November 2014) and supporting Supplementary Planning Documents.

2.2. The Council is in the process of preparing a new Lewisham Local Plan which will eventually replace the existing Core Strategy, Site Allocations and Development Management Local Plans. Figure 1 below shows how a GTSLP will fit in with Lewisham’ planning framework.

**Figure 1: Proposed Lewisham planning framework**



## **3. How the GTSLP has been prepared**

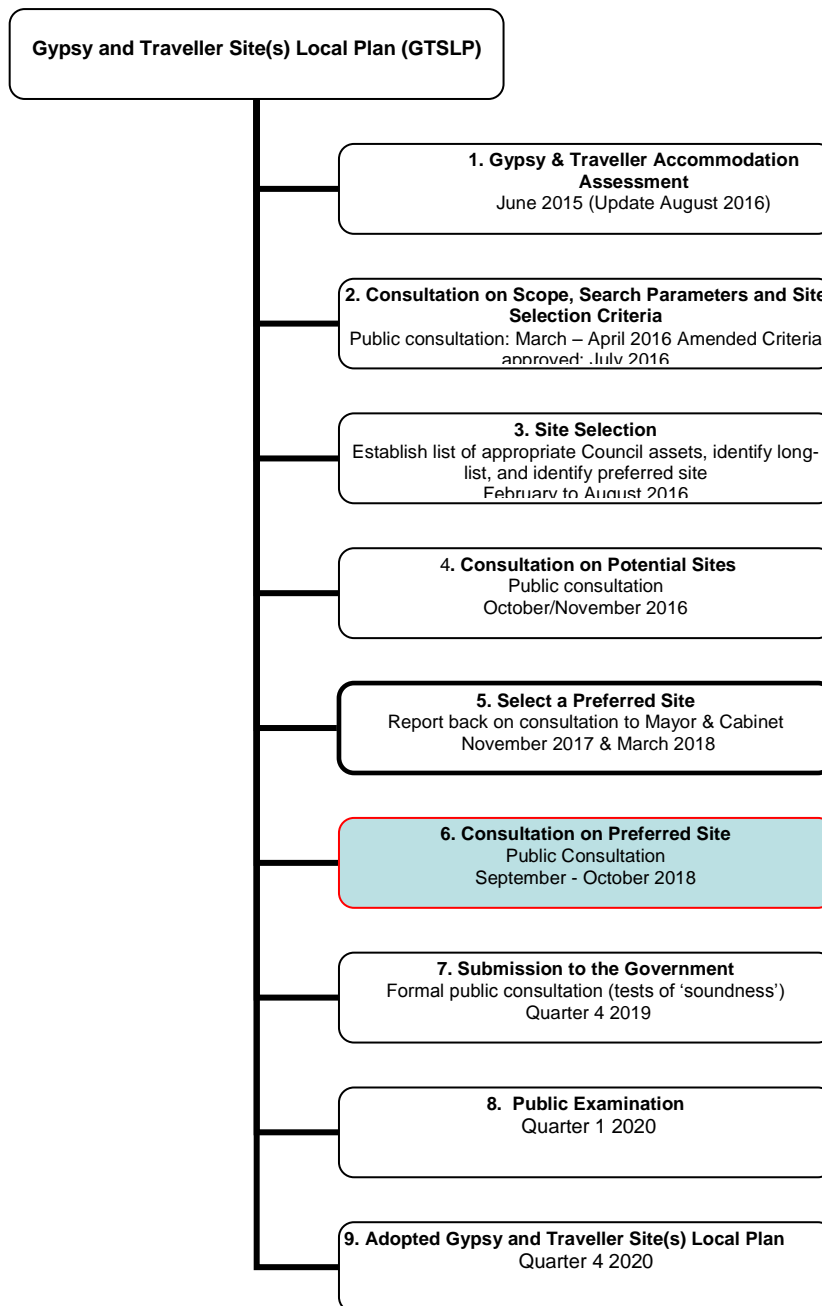
### **Regulations**

3.1. The process for preparing Local Plans, including the GTSLP, is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.

### **Overall Process**

3.2. The key stages in the preparation of the Plan are summarised in Figure 2 below. We are currently at Stage 6.

**Figure 2: Key stages in preparing a GTSLP**



## Founding principles

3.3. The Plan has been founded on the following:

National and local policies, including:

- The National Planning Policy Framework (2018);
- The Government's Planning Policy for Traveller Sites (2015);
- National Planning Practice Guidance;
- The London Plan (2016);
- Lewisham's Core Strategy; and
- Other key relevant plans, policies and strategies.

Appropriate and proportionate Evidence base:

- Lewisham Gypsy and Traveller Needs Assessment (June 2015) as updated (July August 2016); and
- Other key relevant evidence, referred to below.

Findings of the Integrated Impact Assessment:

- Sustainability Appraisal (incorporating the requirements of Strategic Environmental Assessment) of the objectives, strategy and preferred site allocation to highlight potential conflicts or areas where there could be improvements and to ensure that the Plan accords with the principles of sustainable development.
- Equalities Analysis Assessment - an appraisal to identify equalities impacts and implications of emerging policy options.

Involvement of key stakeholders:

- Consultation on Scope, Search Parameters and Site Selection Criteria and Sustainability Appraisal Scoping Report;
- Consultation with officers across the Council, Lewisham Clinical Commissioning Group and the Metropolitan Police;
- Co-operation with other public bodies; and
- Consultation on two potential sites (Pool Court and New Cross); and
- Consultation on the preferred site – Pool Court.

**National and local policies**

National policy and guidance

3.4. The National Planning Policy Framework (NPPF) (July 2018) sets out the Government's planning policies for England. At the heart of the NPPF is a presumption in favour of sustainable development, which for plan-making means that:

- Local planning authorities should positively seek opportunities to meet the development needs of their area; and
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless (i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or (ii) specific NPPF policies indicate development should be restricted.

3.5 The NPPF is augmented by the National Planning Policy for Traveller Sites (PPTS) (August 2015). This sets out the Government's overarching aim as being to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

### London Plan

3.6. The London Plan consolidated with alterations since 2011 was published in March 2016. Policy 3.8 (Housing choice) calls on boroughs to work with the Mayor of London and local communities to identify the range of needs likely to arise within their areas and to ensure (amongst other things) that the accommodation requirements of gypsies and travellers are identified in line with national policy, in coordination with neighbouring boroughs and districts as appropriate. In December 2017 the Mayor of London published a draft replacement London Plan. Draft Policy H16 (Gypsy and Traveller accommodation) calls on boroughs to plan to meet the identified need for permanent Gypsy and Traveller pitches, using an inclusive definition of 'Gypsies and Travellers' and assessing need accordingly.

### Lewisham Core Strategy

3.7. The Core Strategy was adopted in June 2011. Core Strategy Policy 2 (Gypsies and travellers) is set out in full below.

*1. The Council will continue to assess and provide for the identified needs of gypsies and travellers in appropriate locations. The Council is in the process of identifying a suitable site to meet the immediate need arising from the redevelopment of the Thurston Road site, which forms part of the approved Lewisham Gateway development. A site will be identified through the Site Allocations DPD.*

*2. Proposals for additional and alternative gypsy and traveller sites will be assessed having regard to the following criteria:*

- (a) They have reasonable access to local shops, services and community facilities in particular schools and health services.*
- (b) They are safe and have reasonably convenient access to the road network.*
- (c) They have provision for parking, turning, service and emergency vehicles.*
- (d) Any business activities do not have unacceptable adverse impacts on the safety and amenity of occupants and their children and neighbouring residents particularly in terms of noise and overlooking, and other disturbance from the movement of vehicles to and from the site.*
- (e) They have a supply of essential services such as water, sewerage and drainage and waste disposal.*
- (f) They are designed and landscaped to a high standard which facilitates the integration of the site with the surrounding environment and amenity of the occupiers adjoining the site*

### Other key relevant strategies/plans

3.8 The key relevant strategies/plans that have informed the preparation of the GTSLP include:



- Lewisham Sustainable Community Strategy 2008-2020;
- LB Lewisham’s Strategic Asset Management Plan (SAMP) 2015-2020; and
- Lewisham River Corridor Improvement Plan SPD 2015.

**Evidence base**

Gypsy and Traveller Accommodation Assessment

3.9. The Planning Policy for Travellers Sites makes clear that in producing their Local Plans, local planning authorities should, amongst other things:

- Identify and update annually, a supply of specific ‘deliverable’ sites sufficient to provide 5 years’ worth of sites against their locally set targets; and
- Identify a supply of specific, ‘developable’ sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15.

3.10. The Accommodation Assessment (as updated in August 2016) found the need of the households in Lewisham that meet the new definition are for an additional 6 pitches. This is made up of three existing adult households and accounting for three new households, usually formed by adult children setting up their own households.

**Figure 3: Additional need for ‘travelling’ households by 5-year periods**

Years	0-5	6-10	11-15	
	2016-21	2021-26	2026-31	Total
Lewisham Travelling	3	2	1	6

Other key relevant evidence:

3.11. The other key relevant evidence that has informed the preparation of the Plan includes:

- Lewisham Infrastructure Delivery Plan (2010) – under review with an IDP Framework Document being prepared in October 2015;
- Strategic Flood Risk Assessment Update 2015;
- London Gypsy & Traveller Sites Working Paper on Net Density and Gypsy and Traveller Sites (July 2009);
- Highway and Access Feasibility Report August 2016 (updated October 2016);
- Flood Smart Pro and Sequential Testing Report 06/08/2016 (updated 12/10/2016);
- Indicative Masterplan and Capacity Studies (June 2016 and March 2018) and
- Site Selection Background Paper (March 2018).

## **Findings of the Integrated Impact Appraisal**

3.12. The Integrated Impact Assessment (updated March 2018) finds that the provision of gypsy and traveller pitches at Pool Court could have a negative effect on landscape, biodiversity, flora and fauna through the loss of open space. It also identifies ways of mitigating these potential effects, which are incorporated in to the proposed revised Design Guidelines (Section 5).

### **Involvement of key stakeholders**

#### Consultation on Scope, Search Parameters and Site Selection Criteria

3.13. Consultation on the intention to prepare a Local Plan, its proposed scope and proposed Search Parameters and Site Selection Criteria (in accordance with Regulation 18) was undertaken in March and April 2016. Consultation on a Sustainability Appraisal Scoping report took place at the same time.

3.14. Consultation was in accordance with the minimum requirements of the relevant Regulations and the Council's adopted Statement of Community Involvement and included:

- Public display of documents;
- Documents published on the Council website and Consultation Portal;
- Press Notice;
- Mail out to prescribed and non-statutory bodies;
- Liaison with neighbouring boroughs; and
- Meetings with the Lewisham Gypsy and Traveller Forum and London Gypsy and Traveller Unit.

3.15. Following consultation, in July 2016 the Council's Mayor and Cabinet, and in September 2016 the Full Council, approved the final Search Parameters and Site Selection Criteria. Comments received on the Sustainability Appraisal Scoping Report have also been taken in to account in developing the appraisal.

#### Assessment of potential sites

3.16. Officers across the Council (including School Places, Environmental Protection, Public Health and Housing), Lewisham Clinical Commissioning Group (CCG) and the Metropolitan Police were consulted on a list of potential sites. The Council also commissioned studies to assess the suitability of these sites in terms of vehicular access and movement, flood risk and masterplan and capacity.

3.17. In October and November 2016, the Council undertook 6-week public consultation programme to engage with a range of stakeholders on two alternative potential sites: New Cross Social Club and adjoining land in Hornshay Street (SE15) and Land at Pool Court (SE6). The Consultation Statement (October 2017) sets out the comments that were received and provides a detailed summary of the main issues, including officer responses to them.

#### Duty to Co-operate

3.18. The Localism Act (2011) introduced a Duty to Co-operate which requires planning authorities and other public bodies to actively engage and work jointly on strategic matters. The PPTS encourages LPAs to consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if they have special or strict planning constraints across its area.

3.19. The South-East London Planning Authorities (Lewisham, Bexley, Bromley, Greenwich and Southwark) hold quarterly meetings to facilitate joint working on strategic matters. The boroughs have been progressing traveller pitch provision through different development plan documents which are at different stages in plan preparation, and have therefore not prepared a joint, sub-regional document to assess need or allocate site(s) for gypsy and traveller accommodation. However, there is cross borough working with regard to the various assessments and a number of the boroughs, which are commissioning external assessments, are using the same contractor.

3.20. The boroughs have previously considered their joint approach to bricks and mortar housing through the joint production of a South-East London Strategic Housing Market Assessment (2014) (SHMA) which looks at housing need across the sub-region and provides an evidence base to inform plan making. This is to ensure conformity with the London Plan. This sub-regional work is on-going and arrangements are in place to consider all housing issues at future South-East London Planning Authorities Duty to Cooperate meetings.

## **4. Site Allocation**

### **Introduction**

4.1. Government guidance is that where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development (addressing the 'what, where, when and how' questions).

4.2. Please note that the proposed site is slightly different to that which was set out in the Potential Sites Consultation Report (October 2016). The western

and northern site boundaries have been rationalised to reflect land ownership boundaries and remove the sliver of land next to the river.

### **What**

4.3. Taking account of site characteristics and the Masterplan and Capacity Studies (June 2017 and March 2018), the Council considers that the proposed site is capable of accommodating the 6 pitches that are estimated to be needed in Lewisham up to 2031.

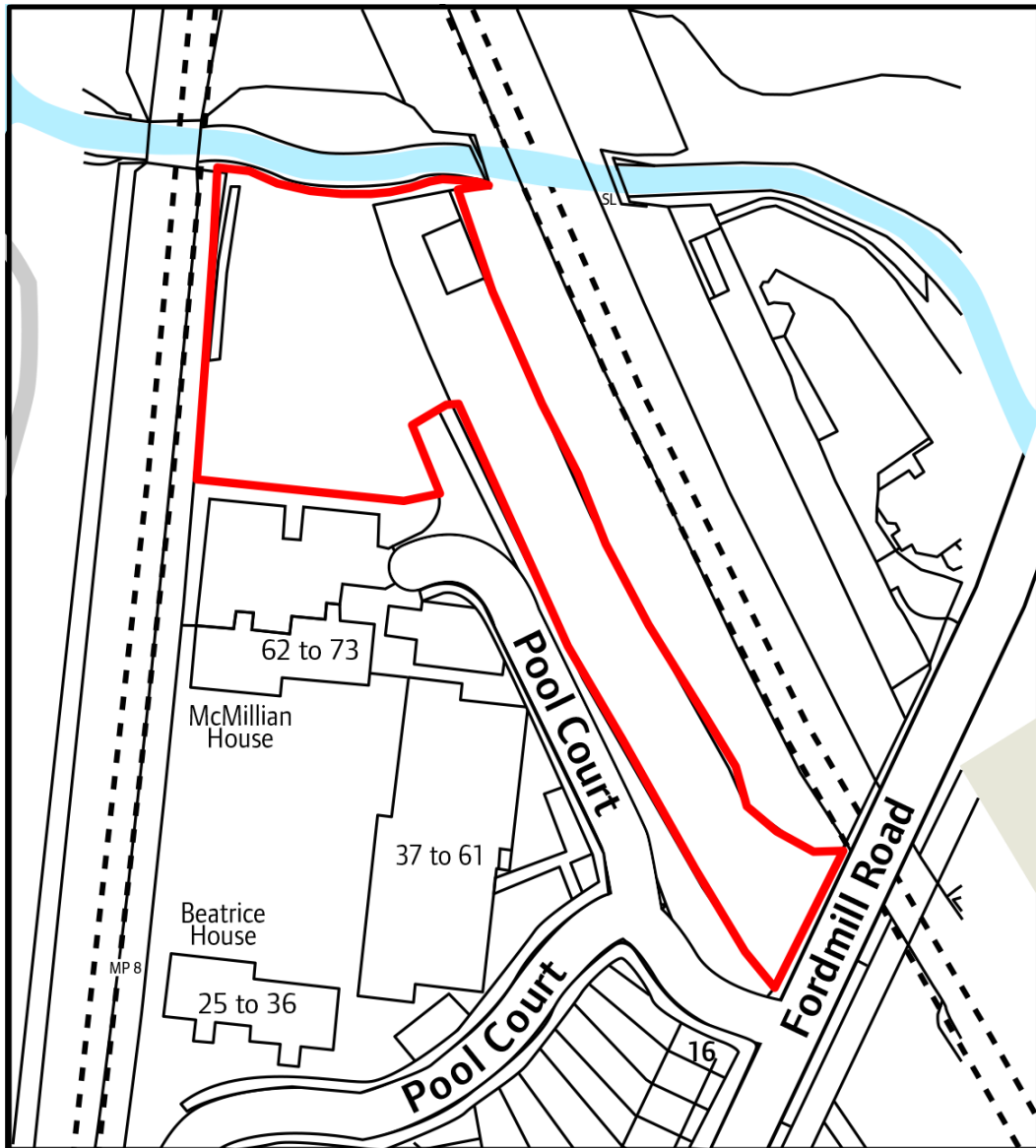
4.4. In common with 'bricks and mortar' housing, the Council is keen to optimise the actual number of pitches that are provided on a chosen site. The proposed site is expected to accommodate pitches of varying sizes to meet the needs of those households that have the greatest housing need and are top of the Council's waiting list for pitches. Pitches are likely to include a hardstanding area for a static caravan, touring caravan and parking space. Pitches are also expected to include a single-storey amenity building and some landscaping/open space. It is hoped that there would also be an area of communal play/open meeting space on the site.

### **Where**

4.5. The Pool Court site comprises three parcels of land along Pool Court, which together amount to about 0.32ha.

4.6. The western part of the site comprises vacant open land and a small area of public highway. The vacant land is owned by the Council and the area of public highway is owned by London and Quadrant Housing Association. The vacant land is currently fenced off and inaccessible and forms part of the designated Site of Importance for Nature Conservation (SINC), called Pool River Linear Park. The western boundary of this part of the site is formed by a surface level railway and the northern boundary is formed by the Ravensbourne River, which is in a deep concrete channel at this point.

4.7. The eastern part of the site comprises an operational scaffolding yard that is accessed from Fordmill Road and open land leading up to the River. The eastern boundary is formed by a railway embankment, which also forms part of the Site of Importance for Nature Conservation.



**When**

4.8. The Needs Assessment (as updated in August 2016) found that the minimum need for 6 pitches arises from people currently living in bricks and mortar homes, teenage children and household formation – with 3 pitches needed immediately (2016-21), 2 further pitches needed between 2021 and 2026 and 1 more needed between 2026 and 2031.

4.9. However, for practical and financial reasons, the Council expects to deliver all of the optimum number of pitches on the Pool Court site in one go and will allocate them according to its emerging Traveller Pitch Allocation Scheme.

## **How**

4.10. The allocation of the Pool Court site for use as a gypsy and traveller site in a GTSLP provides a presumption in favour of the principle of this use and effectively safeguards the land for this purpose. However, full planning permission for the development and detailed design of the site will be required in the normal way.

4.11. The law requires that, to the extent that development plan policies are material to an application, the decision on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. Core Strategy Policy 2 (see Section 3.7) sets out criteria for assessing proposals for gypsy and traveller sites and these will form the basis for determining future planning applications. There are also a number of relevant policies in the Council's Development Management Local Plan (November 2014).

4.12. The Council welcomes pre-application discussions over the design and management of the site so that it can help shape proposals to ensure that they meet the needs of the gypsy and traveller community, represent high quality design, safeguard existing residential amenity and respect the environment. The Council will also want to ensure any planning permission is subject to appropriate planning conditions and that, together with necessary environmental permits and licensing arrangements, these effectively manage the use and operation of the site

4.13. The Council is expected to be the applicant and as such, any planning application will need to be dealt with in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 – which, in summary, means that no officer or councillor that has a role in asset management can have any role in assessing or determining the planning application.

4.14. The Council is expected to be responsible for managing the site, either directly or indirectly via a third party and appropriate management arrangement will be put in place in due course.

## **5. Design Guidelines and Planning Application Requirements**

### **Design Guidelines**

5.1. A number of the guidelines set out below have been amended to take account of comments made in response to the Potential Sites Consultation Report (October 2016) and to mitigate potential negative effects identified in the IIA (March 2018).

5.2. Applicants are encouraged to engage fully with the gypsy and traveller community, seek expert advice and draw on good practice from across London to ensure that the site:

- Meets the needs of the gypsy and traveller community;
- Is of a high-quality design;
- Safeguards existing residential amenity; and
- Respects the environment.

5.3. Whilst formally withdrawn in October 2015 following the publication of the National Planning Policy for Travellers, there is a lot of good general design guidance in the Department of Communities and Local Government's 'Good Practice Guide' (published in 2008). In the absence of any replacement guidance, reference should be made to this in the detailed design of a site and its individual pitches.

5.4. The following site-specific guidance should be taken fully in to account:

(a) Vehicular access to and from the site should be solely from the Fordmill Road frontage. There could be a pedestrian access to and from Pool Court.

(b) The boundary treatment and access/exit along the Fordmill Road should be designed to provide a safe and welcoming entrance to the site, protect the privacy of residents living on the site and provide an attractive street frontage (including some visual interaction between the street and the site).

(c) The boundary treatment to the Pool Court road frontage and car parking area should safeguard the existing trees that are just outside of the site and safeguard the amenity of existing residents.

(d) All works carried out within 8m of the Pool River will require an environmental permit from the Environment Agency. Earth works, landscaping and other development in this part of the site should be designed and managed to enhance this part of the River and take account of guidance in the River Corridor Improvement Plan SPD (September 2015).

(e) Pitches, car parking and hard-standing areas which could be used for storage purposes should be located away from the western edge of the site (which is most susceptible to fluvial flooding). There may be a need for like-for-like level compensation works if ground level raising is required on parts of the site.

(f) Sustainable Urban Drainage (SUDS) including green roofs on permanent buildings and devices to control rates of water discharge in to the River to green field run off rates should be incorporated where possible

(g) As many existing trees and as much mature vegetation as possible should be retained and incorporated in to the landscape design and additional tree planting should be incorporated where possible along the boundaries with Pool Court.

(h) Detailed designs should where practicable and viable make provision for new habitat by incorporating living roofs/walls on permanent buildings and making provision for native or wildlife species of trees and shrubs, nesting boxes for birds/bats/insects and stag beetle log piles.

(i) Any on-site external lighting should be carefully designed and specified so as not to cause disturbance to nearby residents or harm the biodiversity value of the site or adjoining land.

(j) Caravans are generally not well insulated against noise and the layout, orientation and design of pitches and associated structures should take account of the surface level railway along the western edge of the site. A solid fence/wall of appropriate mass/sound reduction qualities should also be installed along the western boundary.

### **Planning Application Requirements**

5.5. A full planning application should include the following:

- Existing and proposed site levels;
- General site arrangement plan;
- Hard and soft landscaping drawings (including full details of road ways, paths, hardstanding areas, tree and other soft landscaping, Sustainable Urban Drainage features and boundary treatments, including between pitches);
- Floor plans, sections and elevations of permanent buildings;
- Full details of refuse collection and postal delivery arrangements;
- Full details of treatment of external boundaries;
- Full details of all external lighting;
- Flood Risk Assessment and Drainage Strategy (including a Flood Evacuation Plan);
- Transport Statement;
- Design and Access Statement; and
- Site Management Plan.

## **6. Infrastructure**

6.1. The Council published an Infrastructure Delivery Plan (IDP) in August 2010. It has prepared an IDP Framework Document in (October 2015) and this is being used to prepare a revised IDP to support the delivery of the emerging Lewisham Local Plan and the GTSLP.

6.2. The relatively small number of households that are expected to live on a chosen site are unlikely to give rise to the need for additional infrastructure. Nevertheless, members of the gypsy and traveller community face particular challenges in accessing health, education and other services. The Council's School Places Manager and Lewisham Clinical Commissioning Group will continue to be involved once a site is



selected and delivered, to help ensure that necessary adjustments to local service provision are made to cater for the particular needs of people living on the site.

## **7. Delivery and monitoring**

7.1. The Council as developer is encouraged to offer assistance to the existing tenant (RHS Scaffolding) to move to a suitable alternative site

7.2. The Council as developer is encouraged to develop ongoing engagement between the traveller and general community. This could include liaison meetings between local residents and members of the Lewisham traveller community, facilitated by the Council and the Lewisham Traveller Outreach Worker, to build understanding and community cohesion during the detailed design and planning stages.

7.3. The delivery of an allocated site is addressed in Section 5 above, under the 'How' heading. In the event that an allocated site should fail to deliver the number of pitches needed, Core Strategy Policy 2 (Gypsy and travellers) makes provision for any unmet need to be met through the planning application process only, stating as it does that:

*"2. Proposals for additional and alternative gypsy and traveller sites will be assessed having regard to the following criteria ...."* (Listed in Section 3.7 above):

7.4. The monitoring framework in the Core Strategy sets out indicators and targets for each of its strategic objectives. For Objectives 02 (Housing provision and distribution) and 03 (Local housing need), the following are identified in relation to Core Strategy Policy 2 (Gypsies and travellers):

- Indicators – Net additional pitches (gypsy and travellers); and
- Target – Net additional pitches.

7.5. The Council will be monitoring the delivery of pitches using the above indicator and target, or any relevant replacement ones that may be identified as part of preparing a unified Local Plan and will use its Annual Monitoring Report (AMR) to record progress.

## **8. Changes to existing allocations**

8.1. The Council proposes to de-allocate those parts of the Site of Importance for Nature Conservation called Pool River Linear Park.