

DERBYSHIRE COUNTY COUNCIL
CABINET MEMBER MEETING FOR
COUNCIL SERVICES

31 October 2016

Report of the Strategic Director Corporate Resources

Change of Use to Land at Ashbourne

1. Purpose of the Report

Approval is sought to grant consent to Derbyshire Dales District Council (DDDC) to formally identify Derbyshire County Council (“the Council”) owned land as a location suitable for satisfying the local needs for accommodating gypsies and travellers in the new Local Plan for Derbyshire Dales.

2. Information and Analysis

The Council owns the land shown edged in bold on the attached plan off Watery Lane, Ashbourne. Part is currently in use as a household waste recycling centre (HWRC) but the area shown hatched is unused as it has been retained for possible expansion of the recycling centre and it is the line of the route identified as suitable for a new ‘Ashbourne By-Pass’ should this ever be constructed. There are no immediate plans by the Council to expand the (HWRC) into the area shown hatched. For many years there has been local pressure for the new road but thus far there have been no firm plans for its construction.

In January 2015 the Derbyshire Gypsy Liaison Group was successful in obtaining planning consent on part of the hatched land (shown cross hatched) for a change of use to a traveller site. Subsequently, the Council has met with the Liaison Group in order to establish what process would need to be followed in order to enable the site to be developed as such. It is the intention of the Liaison Group to provide four pitches on the site for use by a particular family group which has been identified as needing provision in this area of Derbyshire. The aims of the Liaison Group are supported in principle by both DDDC which is the housing authority responsible for responding to the family’s housing needs and by the Council which is the land owner.

The Council has recently granted consent for a survey to be conducted on the site to identify badger activity on the site. Depending upon the results of the survey, more environmental investigation might be identified as necessary.

In addition, if the site is to be developed a suitable design will need to be undertaken, utility and access issues resolved and a detailed planning application submitted indicating what, if any, mitigation measures will be taken to ensure that any environmental concerns can be addressed. Further investigations may also be required into whether the site is blighted by any new road schemes currently being considered.

DDDC has been assembling the data required in order to fulfil its responsibility for producing a revised Local Plan. It is a requirement of National Planning Policy that provision is made for the needs of Gypsies and Travellers. The recent Derbyshire Gypsy and Traveller Assessment Report (DGTAR) (2014) advises that there is a need for 6 pitches in the Derbyshire Dales area in the period 2014-2019 with an additional requirement of 1 pitch every 5 years until 2034. There is potential on the site at Watery Lane, Ashbourne to accommodate the 6 traveller pitches currently identified as being needed. DDDC has therefore requested that the Council consents to 0.3 ha area of the land at Watery Lane, Ashbourne being formally allocated in the Local Plan in order to accommodate the needs identified in the DGTAR.

As the environmental reports and other investigations are not yet complete it is proposed that at this stage that should consent be granted to DDDC formally allocating 0.3 hectares of this land as a traveller site in the Local Plan. It should be in principle only and make it clear that the Council would be under no obligation to fund or organise the development; that the developing body would have to ensure that planning consent is obtained and that all environmental recommendations were fully complied with. In addition, the Council would wish to retain the freehold of the land so a suitable lease would have to be negotiated which would require that a future management plan for the traveller site be agreed.

3. Equality and Diversity Considerations

Gypsies, Roma and Travellers are protected under the Equality Act 2010 as a minority ethnic group. Local Housing Authorities have a responsibility to meet their housing needs, the County Council has a duty to provide health and social care, as well as educational opportunities.

4. Social Value Considerations

The relevance of social value in terms of social, economic and environmental wellbeing has been considered in the preparation of this report. Helping to meet the current and future health, housing and social care needs of communities in the best possible way is central to the role of the Council in consultation with other local authorities and public bodies. The Derbyshire Gypsy and Traveller Assessment Report clearly identified a need for the provision of caravan pitches in the Derbyshire

Dales area than are currently available. By consenting to the identification of this land as a potential site this need could be satisfied.

5. Other Considerations

In preparing this report the relevance of the following factors has been considered; legal, financial, environmental, transport, prevention of crime and disorder, human resources and health considerations.

6. Background Papers

As stated in the report.

7. Key Decision

NO

8. Call-in

Is it required that call-in be waived for any decision on this report? **NO**

9. Officer Recommendation

That the Cabinet Member agrees to Derbyshire Dales District Council formally identifying County Council owned land as a location suitable for satisfying the local needs for accommodating gypsies and travellers in the new Local Plan for Derbyshire Dales.

JUDITH GREENHALGH
Strategic Director Corporate Resources

Ashbourne - Watery Lane Recycling Centre & additional land

