



Department of the  
**Environment**

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## **SYNOPSIS OF CONSULTATION RESPONSES**

**Planning Policy Statement 12:  
Housing in Settlements**

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

JANUARY 2013

# SUMMARY OF CONSULTATION RESPONSES

## Introduction

1. On 7<sup>th</sup> July 2011, the Department issued for public consultation draft Policy HS 3 (Amended) 'Travellers Accommodation' contained in PPS 12. 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 in accordance with the policy.
2. As part of the consultation process copies of the draft PPS were distributed to approximately 350 interested parties, including all Assembly Members; all 26 District Councils, Government Departments and external stakeholders. Notice of the publication of the draft Policy (Amended) and the commencement of the consultation period was given in the Irish News and Newsletter on 8 July 2011 and in the Belfast Telegraph on 11 July 2011. The document was also made available on the Planning NI website. Consultation responses were requested by 30 September 2011. All the responses received will be taken into account by the Department in finalising the document.
3. This paper provides a general overview of the main findings of the public consultation exercise. It is not intended to be a comprehensive report on every comment received, but rather a summary of the key issues and main recommendations raised in the responses. A list of all the respondents who responded to the public consultation is provided at **Annex 1**.
4. The Department would take this opportunity to thank all those who contributed to the consultation exercise.

## Overview of Consultation

5. The Department received a total of 22 responses to the public consultation (and 3 Nil responses).
6. Overall the majority of respondents (13 or 59%) are broadly supportive of the amended policy. 7 respondents (32%) are generally opposed to it, however 5 of those did acknowledge that the amendment is a positive step in achieving equality for Travellers. The opinion of the remaining 2 respondents (9%) is not so clear cut in that comments relate to issues outside of the scope of the amended policy document.

## Core Issue(s) and Recommendations

7. This paper focuses on core issues which have been raised by respondents and makes several recommendations for issuing the document in final form.
8. The majority of respondents welcomed the policy amendment with many citing that the document should assist in removing some difficulties in finding suitable sites for Travellers Accommodation. However, a notable quantity of respondents have made criticisms and/or suggestions where the policy could be improved – these form the basis for the following core issues:
  - a. A number of respondents including ‘FOCUS’ -Omagh Travellers Support Group, Derry Travellers Support Group and Community Places have requested that the wording of the introduction is revisited with regards to development plan requirements. This is to allow for instances where development plan sites are not suitable or where a ‘better’ site exists elsewhere.

### Recommendation

Amend wording of the Introduction as follows:

*“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, **or where other proposals come forward**, proposals will be assessed under the provisions of...”*

The Equality Commission NI (ECNI)<sup>1</sup> welcomed assurance that Department will consider other sites other than those identified by the Local Development Plan.

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<sup>1</sup> [Officials met the **Equality Commission NI** on 16th March 2012 to discuss its comments to the public consultation exercise and to consider the Department’s proposed final policy (Amended). The Commission commented formally on the matters discussed at this meeting].

- b. A number of respondents including Community Places, Equality Commission NI and Castlereagh Borough Council have highlighted that the draft policy assumes all traveller sites are for groups of families and that it does not make provision for individual families in the countryside.

### **Recommendation**

It is considered that the policy as worded does apply to individual family sites because serviced sites or transit sites could be for one family. This equally applies to sites in the countryside – see (c) below.

In addition, to ensure the policy is suitable for individual family sites, the following text will be included in the policy justification and amplification:

***“Any proposal for an individual family site may have fewer requirements than those listed in the main policy text (e.g. play space) and this should be taken into account when determining such proposals.”***

- c. A number of respondents including ‘FOCUS’ – Omagh Traveller Support Group, Derry Travellers Support Group, Community Places and Equality Commission Northern Ireland have suggested that restrictions are removed such as the identification of demonstrable need and the sequential test (i.e. only where sites cannot be accommodated within a settlement, site adjoining or in close proximity will another acceptable site in the countryside be considered).

### **Recommendation**

Meeting need is an important planning consideration which applies to all forms of housing and some other land uses and, therefore, it is appropriate that it should remain in the policy.

In the interests of sustainable development, it is considered that a sequential test is appropriate as the criteria for assessing proposals in the countryside. However, the test should be aligned with the test contained in Policy CTY 5 of PPS 21 which applies to ‘Social and Affordable Housing’. As such the following text (within the J&A) should be removed:

*“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...”*

Replaced with the following text:

***“Where a need is identified for a transit site or a serviced site, which cannot readily be met within an existing settlement in the locality, applications will be required to meet the policy requirements of Policy CTY 5 – ‘Social and affordable housing’ as set out in PPS 21.”***

However, for instances where a need has not been identified for individual sites the following sentence should be inserted within the policy text:

***“Exceptionally, and without a requirement to demonstrate need, a single family traveller transit site or serviced site may be permitted in the countryside. Such proposals will be assessed on their merits”.***

The Equality Commission NI (ECNI)<sup>2</sup> welcomed the Department’s assurance that “Exceptionally, and without a requirement to demonstrate need, a single family Traveller transit or serviced site may be permitted in the countryside. Such proposals will be assessed on their merits.”

- d. A number of respondents including ‘FOCUS’ – Omagh Travellers Support Group, Derry Travellers Support Group and Community Places cited that grouped housing schemes should be an option adjoining or close to ALL settlements (not just Small settlements) and to make clear that this amends CTY 5.

#### **Recommendation**

It is not possible to amend PPS21 which was agreed by the Executive. However, the existing policy justification and amplification (which references CTY 5) should be removed and, as detailed above in point (c.), aligned with Policy CTY 5 ‘Social and Affordable Housing’ of Policy PPS 21.

- e. A number of respondents including ‘FOCUS’ – Omagh Travellers Support Group, Derry Travellers Support Group, Community Places and the Equality Commission Northern Ireland have commented that the policy makes no reference to the existence and suitability of culturally sensitive alternative accommodation as a material consideration.

#### **Recommendation**

Addition of the following point within the policy justification and amplification:

***“When assessing applications for travellers accommodation planning authorities should consider the existing level of local provision and need for sites, as well as the availability (or lack) of alternative accommodation that meets the distinctive needs of travellers.”***

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<sup>2</sup> [Officials met the **Equality Commission NI** on 16th March 2012 to discuss its comments to the public consultation exercise and to consider the Department’s proposed final policy (Amended). The Commission commented formally on the matters discussed at this meeting].

The Equality Commission NI (ECNI) welcomed the Department's assurance that in its assessment of applications planning authorities will consider existing levels of provision and availability of alternative accommodation.

- f. A number of respondents including the Council for Catholic Maintained Schools, Northern Ireland Water and the Institute of Public Health in Ireland have suggested that the policy should require availability of amenities / services / infrastructure and furthermore the Royal Town Planning Institute (RTPI) commented that the exceptional release of land for travellers accommodation should take full account of all other material considerations as well as environmental considerations.

### **Recommendation**

The following text should be removed:

*"The exceptional release of land for such a facility should take full account of environmental considerations."*

Replaced with the following text:

***"In all cases Planning Authorities will take full account of planning, environmental and other material considerations – for example the availability of suitable infrastructure, and services."***

- g. A number of respondents including the Equality Commission Northern Ireland, Northern Ireland Council for Ethnic Minorities, 'FOCUS' – Omagh Traveller Support Group, Derry Traveller Support Group and Community Places have suggested that the policy could lead to differential treatment compared with applications for people from non traveller community – therefore may not afford equality of opportunity.

### **Recommendation**

The purpose of this amendment and policy is to recognise the distinctive needs of travellers and to ensure these needs are addressed. Different forms of development will inevitably have varying degrees of impact on the environment and have different policy requirements. It is appropriate for planning policy to address this.

Planning officials advised the Equality Commission NI (ECNI)<sup>3</sup> that this policy distinguishes between the various forms of Travellers accommodation (Transit sites / Serviced sites / Grouped housing) as each type will have varying impacts on the surrounding environment and will be subject to different prevailing planning policy beyond Policy HS 3.

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<sup>3</sup> [Officials met the **Equality Commission NI** on 16th March 2012 to discuss its comments to the public consultation exercise and to consider the Department's proposed final policy (Amended). The Commission commented formally on the matters discussed at this meeting].

## **Annex 1**

### **Respondents to Public Consultation**

Council for Catholic Maintained Schools  
Newtownabbey Borough Council  
Forest Service  
Human Rights Commission  
Craigavon Borough Council  
Castlereagh Borough Council  
Northern Ireland Water  
Local Government Partnership on Traveller Issues  
Magherafelt District Council  
Northern Ireland Housing Executive  
Armagh City and District Council  
Royal Town Planning Institute  
FOCUS – Omagh Traveller Support Group  
Derry Travellers Support Group  
Belfast City Council  
Community Places  
Institute of Public Health  
Northern Ireland Local Government Association  
Northern Ireland Council for Ethnic Minorities  
Equality Commission NI  
Larne Borough Council  
NI Housing Council

