

## Appendices

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## Appendix 1

### Summary of current Regulations and Government advice

#### The LDF Regulations and tests of “soundness”

South Norfolk Council intend to submit this Development Plan Document to the Secretary of State for Communities and Local Government. It has been prepared in accordance with Regulations 24 and 27 of the Town and County Planning (Local Development) (England) (Amendment) Regulations 2008 made under the Planning and Compensation Act 2004.

It forms part of the “proposed submission documents” which also include:

- A statement of the procedure for making representations (Section 10);
- A statement of the persons and bodies who were invited to make representations in earlier consultations under Regulation 25; how they were invited to make representations; and a summary of the main issues raised in those representations (see Appendices 4 and 5);
- How those main issues have been addressed (see page xx)
- The sustainability appraisal report (see Appendix 3)

The current guidance in PPS12 (see Appendix 7) requires the Council to demonstrate that this Document is “**sound**”. The tests of soundness are:

- Is this DPD justified by a robust and credible evidence base?
- Does it include the views of the local community and others who have a stake in the future of the area?
- Is it based on up-to-date fact-finding and research, proportionate to the job being undertaken?
- Is it the most appropriate strategy when considered against reasonable alternatives, put forward by the Council and others?
- Has it considered alternatives which the Council has sought out and evaluated by an objective process of assessment?
- Is it effective and deliverable, with sound infrastructure planning, and no barriers to development in policies and regulations?
- Is it flexible (with alternative strategies for contingencies)?
- Can it be monitored?
- Is it prepared in accordance with the relevant Regulations, and with the Local Development Scheme and Statement of Community Involvement of the Local Development Framework?

- Has it been subjected to a Sustainability Appraisal?
- Does it have regard to national policy?
- Does it conform to the Regional Spatial Strategy and the local Sustainable Community Strategy?

In preparing this DPD, we have sought to follow the current Government advice in Circular 1/2006 (see Appendix 7), in particular the following points, using the paragraph numbers of the Circular:

18. We consider that we have identified sites which meet the current working patterns of Gypsies and Travellers.
31. This DPD will take effect before the joint core strategy, so it has adopted its own “checklist” of criteria for the selection of sites, which will also form the basis for a development control policy which could deal with unexpected demand.
32. We consider that the “checklist” we have used to select sites is fair, reasonable, realistic and effective in delivering sites, compared to other possible criteria.
33. this DPD allocates sufficient specific site allocations to meet the pitch numbers required by the draft RSS. The allocated sites are suitable and there is a realistic likelihood that they will be delivered, within the 3-year timescale of this DPD.
35. To seek sites, we have examined our own land, and registers of unused or under-used land owned by public bodies.
39. We have set out how we intend to monitor this DPD.
43. We consider that there is a clear and immediate need to provide authorised sites to meet identified needs, and therefore this DPD will be submitted before the RSS and LDF joint core strategy.
44. We have used sources of information such as incidents of unauthorised sites, numbers of authorised sites and the bi-annual caravan counts, to assess need.
47. We have not included a “rural exceptions” policy in this DPD, for the following reasons. In the 2007 “issues and options” consultation, we said that we were unsure how such a policy would work for Gypsy and Traveller sites, but we invited views. There were no useful replies.

This DPD will allocate sites to meet the need identified in our 2006 Needs Survey, and to meet the pitch requirements of the draft RSS. Local authorities across the region will be planning to meet all identified needs for the first time, and this will change future patterns and levels of need for Gypsy and Traveller accommodation in ways that cannot be predicted at this stage.

We consider that this DPD should have a “short life” of 3 years, following which we will undertake a fresh survey of needs for accommodation across the whole of South Norfolk (including both built housing and Gypsy and Traveller needs), to meet our duties under the Housing Acts. We will also gather information on needs through the

waiting list and other indicators, such as the twice-yearly count of Gypsy and Traveller caravans.

In order to justify a “rural exception” for affordable Gypsy and Traveller accommodation, within the terms of the advice on Planning Policy Guidance 3, there would have to be robust evidence of local needs (less than district-wide). We think it is unlikely that evidence of the required standard could arise during the life of this plan.

52. Our “checklist” seeks to avoid sites on land with nationally-recognised designations, which will normally be protected from development.
- 53/54 However, we have considered potential sites in rural settings which are not subject to special constraints, including land with only local conservation designations.
56. We have included one site suitable for mixed uses
64. We have taken into account the sustainability issues listed in the guidance, avoiding areas of high flood risk.
65. In our site search, we looked first at sites near settlements.
66. Our “checklist” approach to assessing potential sites specifically takes into account the limited traffic movements likely to result from small Gypsy and Traveller sites with 6-8 pitches.