

Annex B : Planning for Traveller Sites

DCLG consultation

To be incorporated into National Planning Policy Framework

General summary of draft policy statement, *and comments relating to CYC position.*

Local Authorities will:

- continue to undertake assessments of need, but without the structure of formal national guidance (GTAA guidance is to be removed). Duty will be on LAs to maintain an up to date understanding of likely permanent and transit accommodation needs of their areas over the lifespan of the plan, in light of historic demand;
- set pitch/plot targets for permanent and transit sites, and establish criteria based policy and strategy to guide continuous delivery of sites for at least 15 years from adoption;
- increase site provision by improving delivery – LPAs to identify sufficient deliverable supply to accommodate 5 years supply, within 6 months of PPS's adoption. If supply is not identified, LPAs are guided to look favourably on granting temporary consents;
- monitor and critically analyse decisions on applications for sites for Travellers compared to other types of residential applications;
- undertake cross-boundary working (refers to Localism Bill duty on LPAs to work together to address need).
- consider Rural Exceptions policy to provide sites solely for affordable traveller sites (although not for mixed-use sites, therefore excluding Showpeople);

York's Core Strategy states that the Council will identify sites through the Allocations DPD and AAP for at least 36 additional G+T sites in the plan period, and land to accommodate at least 13 permanent plots for Showpeople by 2019. Both targets are based on current sub-regional evidence base. No phasing has been established as yet.

5-year supply in York is equivalent to 9 Gypsy and Traveller sites and an additional 8 plots for Showpeople. Likely to be challenging given previous difficulties in site identification – 6 month period to establish first term's delivery is unrealistic, and dependent on Allocations DPD timeframe. Given established need and lack of deliverable sites, applications submitted in the short term are likely to receive a more favourable policy response, at least in terms of temporary consent.

Other issues:

- £60 million allocated by Government to provision of Traveller sites, through 'National Affordable Housing Programme 2011-15';
- Every new traveller pitch owned or managed by local authorities or registered partners will get 6 years of matched council tax funding plus affordable housing supplement through New Homes Bonus;
- More power to tackle unauthorised development, incl: strengthening temporary stop notices (no details yet) and allowing only an enforcement appeal or retrospective planning application, not both;
- Draft PPS brings the description of development in line with other housing, by removing ref to traveller sites being 'normally' inappropriate in the green belt.
- Gypsies, Travellers and Showpeople are brought under the same banner of Travellers, using the definitions that currently exist in Circulars 1/2006 and 4/2007.

Comments in relation to Consultation questions

<p>Q1</p> <p>Do you agree that the current definitions of "gypsies and travellers" and "travelling showpeople" should be retained in the new policy?</p>	<p>Generally yes - identifies distinctive groups with differing needs / customs which are not necessarily compatible</p> <p>Perhaps consideration could be given to further refining the definitions to reflect the diversity of groups <i>within</i> these broad categories, e.g. Irish travellers.</p>
<p>Q2</p> <p>Do you support the proposal to remove the specific reference to</p>	<p>No – consider that without a common methodology, likely to lead to additional time/financial cost of developing methodology locally, and testing this prior to appraising sites. There is likely to be significant increase in appeals, based on each authority's local definition of need. Leaves potential for under</p>

<p><i>Gypsy and Traveller Accommodation Needs Assessments</i> in the new policy and instead refer to a “robust evidence base”?</p>	<p>estimation of need in areas where provision of sites has been difficult in the past/is politically unfavourable.</p> <p>There is a lot to be said in support of consistency of approach between neighbouring authorities when assessing needs, especially where sub regional or regional approaches are being developed/sought.</p> <p>In any case, we do not normally find that nationally imposed targets are the contentious issue, but that, in general, people are unwilling to have sites located close to where they live.</p> <p>If move is towards G+T housing need aligning with overall housing need, how does the process of <u>establishing</u> need compare.</p> <p>There is a need to clarify what is meant by ‘...monitor and critically analyse decisions on applications...’ as set out in paragraph 6.</p>
<p>Q3</p> <p>Do you think that local planning authorities should plan for “local need in the context of historical demand”?</p>	<p>Do not support in isolation. Historic trends do not offer a sound basis on which to only base future provision – areas which have tended to underprovide in the past could maintain this position, leaving need to be provided for elsewhere. Reliance on historic need is problematic as it will simply reward LPAs that have never made any provision but sought to rely on enforcement. Historic demand should be set against each authority’s history of site provision, at the very least.</p> <p>Note that through examination, policy and evidence base will be tested to determine its soundness.</p> <p>Presumably, in areas constrained (by green belt or other locally defined factors), development is unlikely to take place, but would be soaked up by neighbouring authorities? This would be a concern.</p>

<p>Q4</p> <p>Do you agree that where need has been identified local planning authorities should set targets for the provision of sites in their local planning policies?</p>	<p>Yes in order to ensure provision</p>
<p>Q5</p> <p>Do you agree with the proposal to require local planning authorities to plan for a five-year supply of traveller pitches/plots?</p>	<p>Gypsy and traveller sites should be treated in the same way as housing but how would this be robustly established? Support the intention to monitor provision and have a robust timescale for supply, rather than allow need to be pushed to the end of the plan period, but would suggest that instead, focus should be on establishing a strategy and policies steering provision of sites to address evidenced need, and that reference is made to providing sites in line with evidence base, which is kept up to date. BUT ensure provision is achieved within framework.</p> <p>It is not clear if the inclusion of windfalls would be approached in the same way as they are for housing.</p>
<p>Q6</p> <p>Do you agree that the proposed wording of Policy E (in the draft policy) should be included to</p>	<p>Need to clarify that there will be no change to the way in which Gypsy and Traveller sites in the Green Belt are considered – such development is currently inappropriate and this will remain the case.</p> <p>Many green belts will already contain established Traveller sites, and extensions to such sites may provide more sustainable options to provide for evidenced need</p>

<p>ensure consistency with Planning Policy Guidance 2: <i>Green Belts?</i></p>	<p>compared to other available land. Travellers sites are very different from other housing sites, and would not lead to the urban sprawl that Green Belts are drawn up to avoid.</p>
<p>Q7</p> <p>Do you agree with the general principle of aligning planning policy on traveller sites more closely with that for other forms of housing?</p>	<p>Significant differences in the way extended families live together compared with settled community;</p> <p>Need to allow for living and working on-site, particularly in the case of Showpeople.</p> <p>Also significant discrimination against gypsy and travellers – need to ensure that any planning policy when correctly followed enables the provision of sites</p>
<p>Q8</p> <p>Do you think the new emphasis on local planning authorities consulting with both settled and the traveller communities when formulating their plans and determining individual planning applications will reduce tensions between these communities?</p>	<p>Agree, but feel this is already a significant part of our role.</p> <p>Should note that early consultation can result in co-ordinated opposition, which could impact on site provision.</p>

<p>Q9</p> <p>Do you agree with the proposal in the transitional arrangements policy (paragraph 26 of the draft policy) that asks local planning authorities to “consider favourably” planning applications for the grant of temporary permission if they cannot demonstrate an up-to-date five-year supply of deliverable traveller sites to ensure consistency with Planning Policy Statement 3: Housing?</p>	<p>Difficult to understand how this would sit alongside green belt policy, and could lead to confusion when appraising whether ‘special circumstances exist’. Prefer current wording, which allows balance in weight of individual cases.</p> <p>Support the principle of consenting temporary use of land to provide for need while longer term strategies are developing, however acknowledge that this can lead to upheaval and uncertainty for families involved, although this needs to be balanced against having no provision at all.</p>
<p>Q10</p> <p>Under the transitional arrangements, do you think that six months is the right time local planning authorities</p>	<p>Setting an arbitrary timescale is inappropriate as authorities are at different stages in preparing their Core Strategies and Allocations DPDs. In this context 18 months would be more appropriate for York, although this is likely to vary for different authorities.</p>

<p>should be given to put in place their five-year land supply before the consequences of not having done so come into force?</p>	
<p>Q11 Do you have any other comments on the transitional arrangements policy?</p>	<p>See below</p>
<p>Q12 Any other issues</p>	<p>See below</p>
<p>Q13 Equalities impacts</p>	<p>See below</p>

Other comments

Support retention of the general policy principle that Local Authorities should assess the need for Gypsies, Travellers and Showpeople in their areas and make provision for that need.

Suggest merging paras 20 and 23 to provide basis for local criteria based policy.

In York, regional targets have led to the provision of sites, but solely on appeal, where inspectors have permitted applications on the basis of the needs argument put forward.

Difficult to maintain 'continuous delivery of sites' against a long-term target given transient nature of travellers.

Need for recognition of differences between sites for Gypsies and Traveller and Showpeople (likely to accommodate living and working on site)

There will be tension between the need for more pitches and each community's expectations that they will set their own planning frameworks through Neighbourhood Plans.

Para 1.3

"There is a perception among many that currently policy treats traveller sites more favourably than it does other forms of housing"

The converse is also true – our own evidence base (GTAA) suggests that the recognised shortage of pitches is in part due to the discrimination and prejudice faced by Gypsy and Traveller communities. Gypsies and Travellers are the most socially excluded group in society and are particularly susceptible to a range of inequalities relating to health, education, law enforcement and quality of accommodation.

Para 2.3

"It is 'unauthorised developments' that concern the planning system..."

The Planning system is concerned with the provision of homes, not just breaches of consent!

Para 2.8

"However, too often the planning system pits communities against development of all kinds"

Para 2.9	<p>“Ultimately, the regional strategy targets that were imposed on local area were more effective at generating resentment than at getting homes built”</p> <p>Don't like tone of these throwaway statements</p>
Para 3.10	<p>The document suggests regional targets have been imposed, but in reality they have always been based on understanding of local circumstances and housing need.</p>