

Inspector's Question 2 to the Council

Planning for Traveller Sites

The Council's adopted Core Strategy (policy CS09) states that provision will be made for a minimum of 146 permanent pitches for gypsies and travellers.

My understanding of the March 2013 Traveller Sites Supply Calculation (a copy of which should be placed in the Examination library) is that in 2011 there were 143 authorised pitches and that in 2013 there was an identified supply of additional pitches for 6.25 years.

Paragraph 9 of the 'Planning Policy for Traveller Sites' (March 2012) advises that local plans should identify a supply of specific developable sites or broad locations for growth for years 6 to 10 and where possible for years 11 to 15.

I could find no reference to gypsies and travellers in the Site Allocations plan and would welcome an explanation of the Council's approach to this issue, including an up-date of the position with regard to the provision of traveller sites.

A response within two weeks would be welcome.

David Hogger

Inspector

14th May 2015

Borough Council Response

The Council has prepared a revised supply calculation taking account of the updated 2014 Gypsy and Traveller Accommodation Needs Assessment (GTANA) and recent permissions. This is set out at Appendix 1 and may be added to the Examination library. The conclusion is that we now have a 12 year supply of pitches.

The GTANA update “concludes that there will be a need for 69 pitches in King’s Lynn and West Norfolk between 2013 and 2031, but that 54 existing pitches are predicted to become vacant over the same time through natural turnover.

For Travelling Show People there will be a need for 4 to 5 plots up to 2021. Plots tend to be larger than most Gypsy and Traveller pitches, thereby allowing Travelling Show People to cater for any future accommodation needs within their own plots. The expectation from the Showmen’s Guild is that local Travelling Show People will provide their own plots.

Whilst there have been a number of unauthorized encampments in King’s Lynn and West Norfolk since 2010, given the reasons for travelling to the Borough and the fact that many have permanent bases reasonably close, it is unlikely that a transit site would reduce the number of unauthorized encampments.”

The GTANA update goes on to say that “the main conclusion of the independent assessment by the Cambridgeshire County Council Research Group in this update is that there is a need for 16 new pitches to be provided for in King’s Lynn and West Norfolk between 2013 and 2031.”

This is supported in the GTANA update by the following table:

Table 1. The assessed need for new Gypsies and Traveller pitches 2013 to 2031

Period	New Pitches Required	Pitches Available Through Turnover	Net Number of New Pitches Required
2013 to 2016 (3 years)	9	9	3
2016 to 2021 (5 years)	20	15	5
2021 to 2026 (5 years)	20	15	4
2026 to 2031 (5 years)	20	15	4
Total 2013 to 2031	69	54	16

Source: See tables in this GTANA update

The Council’s approach to provision has been to allow additional sites to come forward that meet the criteria set out in Policy CS09 of the Adopted Core Strategy, given that existing provision (173 authorised/long-term pitches exceeds the Core

Strategy need (minimum of 146 pitches). The evidence is that sites have come forward since the Core Strategy's adoption in July 2011 in relation to policy CS09 at a rate (3 pitches p.a.) exceeding that required by both the 2011 (2 p.p.a.) and the 2014 updated GTANA (1 p.p.a.).

Appendix 2 below sets out how the policies in the Adopted Core Strategy and Submitted Site Allocations Plan relate to the relevant policies of the Planning Policy for Traveller Sites (PPTS).

Annex 5 of the GTANA update also highlights "comments on six Core Strategies outside London that have been found to be sound by the Planning Inspectorate since the publication of the NPPF in March 2012." One of the findings from the six examples (Central Lancs., W. Berks., Woking, Taunton Deane, Milton Keynes, Winchester/S. Downs National Park Authority) is that: "criteria-based policies for the allocation of sites have been incorporated in the Core Strategies found sound."

Conclusion

The Council has made adequate provision for the accommodation needs of Gypsies and Travellers, both through meeting, and exceeding, the minimum Core Strategy requirement and also by responding to emerging needs through the flexible, criteria-based Core Strategy policy CS09. It is the Council's view therefore that there is no need to make site specific provision in the Site Allocations plan.

Appendix 1

1 Traveller Sites Supply Calculation 2015 Update

1.1 The Government's 'Planning Policy for Traveller Sites' (DCLG March 2012) advises that local planning authorities should, in producing their Local Plan:

- a) identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets;
- b) identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15.

1.2 The Borough Council, in the light of this guidance, produced its first assessment of the supply of Traveller sites for the Spriggs Hollow Appeal which took place in October 2013. The Appeal Decision issued on 7 February 2014 confirmed the Borough Council's conclusions that "the existing pitch provision significantly exceeds that required by the Core Strategy and the projected need within the GTANA. Moreover, the Council is able to demonstrate a five year supply of deliverable sites and policy CS09 provides flexibility to allow additional sites to come forward in accordance with the objectives of the Core Strategy. Therefore there is no evidence to suggest that there is a significant level of un-met need within the Borough." The appeal was, however, allowed for other reasons

2 The Regional and Local Context

2.1 The Adopted Core Strategy policy CS09 (July 2011) identified a need for a minimum of 146 pitches in the Borough to 2011 and thereafter, a need to provide for a 3% compound increase in the number of residential pitches provided each year.

2.2 A Gypsy and Traveller Accommodation Needs Assessment (GTANA) for the Cambridge Sub-Region of the East of England was published in 2011. It identified a total of 153 pitches in 2010/11 across the Borough – of which 143 were authorised.

2.3 The GTANA also identified a need for a total of 23 additional pitches across the Borough to meet forecast need for the period 2011-2031 (equating to 1.15 pitches required per annum. This was rounded up to 2 pitches p.a.).

2.4 A King's Lynn and West Norfolk update to the 2011 Gypsy and Traveller Accommodation Needs Assessment (GTANA) for the Cambridge Sub-Region of the East of England was published in June 2014. It identified a total of 173 authorised/long-term tolerated pitches in July 2013 across the Borough.

2.5 The GTANA update also identified a net need for a total of 16 additional pitches across the Borough to meet forecast need for the period 2013 - 2031.

3 5 Year Land Supply

3.1 There is an established net need for 16 additional pitches 2013-2031 (18 years). This equates to 0.88 (rounded up to 1) pitch per year.

3.2 Therefore, the Borough's 5 year supply can be calculated as follows:

Pitch requirement 2013-31 = 16

16 pitches over 18 years (2013-31) $16/18 = 0.88$ pitches required per annum. This is rounded up to 1 pa.

The following sites form the 5 year supply:

Site	Pitch Provision	Comments (date permitted month/year)
Basin Farm, Outwell	1	4/11
Primrose Farm, Upwell	2	Permitted on appeal 7/10
The Stables, Marshland St James	2	9/11
Clydesdale, Walsoken	1	8/12
Many Acres, Upwell	1	9/12
Green Lane, Walsoken	3	10/12
E Side, The Common, S Creake	2	11/14
Total	12	

The above sites can provide a total of 12 pitches. In addition 16 pitches came forward at Blunts Drove, West Walton in June 2012.

12 pitches divided by the annual requirement of 1 pitch = **12 years' supply** at May 2015. The GTANA update required 3 pitches for the 3 year period 2013-2016 and 5 for the following 5 year period 2016-2021; in this context our supply of 12 pitches would also equate to 12 years' supply.

3.3 In order to maintain a 5 year supply of deliverable sites throughout the Plan Period the Adopted Core Strategy included a criteria-based policy (CS09). Recent experience has seen sites coming forward at a rate of 3 pitches per annum (9 in total – highlighted in yellow in table above) since the policy was adopted in July 2011. This exceeds both the 2011 GTANA identified requirement of 1.15 pitches p.a. (rounded up to 2 p.a.) and the updated 2014 figure of 0.88 p.a. (rounded up to 1 p.a.).

APPENDIX 2

Relationship of Core Strategy and Site Allocations Plan policies to the planning policy aspects of the PPTS

PPTS Policy and sub clauses (with original PPTS para. references)	Relationship to Core Strategy/Site Allocations Plan Policies
Policy B: Planning for traveller sites	
7. Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. To this end, they should be consistent with the policies in the National Planning Policy Framework, including the presumption in favour of sustainable development and the application of specific policies in the Framework and this planning policy for traveller sites	Policy CS01 considers the locations appropriate for sustainable development. General principles are carried forward into (particularly) the settlement hierarchy Policy CS02. Presumption in favour of sustainable development is contained in the NPPF and, now, set out in Policy DM1 of the Site Allocations Plan.
8. Local planning authorities should set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities.	Policy CS09 contains the relevant requirements which themselves come from the Regional Spatial Strategy as amended and superseded by the GTANA and updates. GTANA work done with Cambridgeshire authorities.
9. Local planning authorities should, in producing their Local Plan: a) identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets	See separate assessment of 5 year supply. GTANA updates/monitoring undertaken annually. Policy CS09 envisages this approach.
b) identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15	Criteria based policy to deal with the windfall predicted to come forward over the relevant period.
c) consider production of joint development plans that set targets on a	GTANA done on a cross boundary basis.

<p>cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries)</p>	
<p>d) relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density</p>	<p>Requirement from CS09 is based on objective assessment. Site specific issues and relationships dealt with through planning application process.</p>
<p>e) protect local amenity and environment</p>	<p>Policy CS09 outlines need to avoid environmentally sensitive areas.</p> <p>Policy CS12 outlines considerations on (inter alia) amenity. This is now supplemented by Policy DM15 (Environment, Design & Amenity) of the Site Allocations Plan.</p>
<p>10. Criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community.</p>	<p>Through research on need (GTANA) we are able to say that the level and type of need is appropriately dealt with through the criteria based policy as CS09.</p>
<p>11. Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies:</p> <p>a) promote peaceful and integrated co-existence between the site and the local community</p>	<p>The intention is that CS09 will achieve the integration if implemented as outlined. Also partly addressed in Policy CS13.</p>
<p>b) promote, in collaboration with commissioners of health services, access to appropriate health services</p>	<p>Policy CS09 5th bullet point reflects this.</p>

c) ensure that children can attend school on a regular basis	Policy CS09 5 th bullet point reflects this.
d) provide a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment	Policy CS09 reflects this. 3 rd , 4 th and 5 th bullet points.
e) provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development	More appropriately dealt with in relation to site specific permissions and the local impacts guided by Policy DM15 (Environment, Design & Amenity) of the Site Allocations Plan.
f) avoid placing undue pressure on local infrastructure and services	The thrust of the Core Strategy policies is to locate development which can be supported by local facilities. It seeks to avoid development in the countryside. (Policy CS01, second section, on 'Sustainable development locations' 6 th bullet point).
g) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans	Policy CS01, second section, 5 th bullet point. Policy CS08. The Flood Risk Protocol (Appendix 4 of the Site Allocations Plan) is also relevant.
h) reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability.	Policies CS10 and DM2 do accept employment locations in the countryside.
Policy C: Sites in rural areas and the countryside	
12. When assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.	Issue best addressed in relation to specific proposals at the planning application stage.

Policy D: Rural exception sites	
<p>13. If there is a lack of affordable land to meet local traveller needs, local planning authorities in rural areas, where viable and practical, should consider allocating and releasing sites solely for affordable traveller sites, including using a rural exception site policy for traveller sites that should also be used to manage applications. A rural exception site policy enables small sites to be used, specifically for affordable traveller sites, in small rural communities, that would not normally be used for traveller sites. Rural exception sites should only be used for affordable traveller sites in perpetuity. A rural exception site policy should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection, whilst also ensuring that rural areas continue to develop as sustainable, mixed, inclusive communities.</p>	<p>Policy relates to the provision of 'affordable travellers sites'. The Borough Council maintains that adequate provision has been made for this tenure.</p>
Policy F: Mixed planning use traveller sites	
<p>16. Local planning authorities should consider, wherever possible, including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents. Local planning authorities should consider the scope for identifying separate sites for residential and for business purposes in close proximity to one another if mixed sites are not practicable.</p> <p>17. Local planning authorities should have regard to the need that travelling showpeople have for mixed-use yards to allow residential accommodation and</p>	<p>Policy CS10 considers the possibility of rural employment sites where there is a local business need. It should be adjacent to the settlement. Policy DM2 also provides for development in support of the rural economy.</p> <p>No specific reference is made.</p>

space for storage of equipment.	
18. Local planning authorities should not permit mixed use on rural exception sites.	Specific point made in the PPTS, not covered in the Core Strategy.
Policy G: Major development projects	
19. Local planning authorities should work with the planning applicant and the affected traveller community to identify a site or sites suitable for relocation of the community if a major development proposal requires the permanent or temporary relocation of a traveller site. Local planning authorities are entitled to expect the applicant to identify and provide an alternative site, providing the development on the original site is authorised.	Specific point made in the PPTS, not covered in the Core Strategy.