

Breckland Local Plan Examination

Matter 8:

Housing: Provision for gypsies, travellers and travelling showpeople

Breckland District Council

Inspector's Questions on the Additional Work and related Proposed Modifications

August 2018



1.28 The Council's topic paper sets out that two existing private sites are suitable for expansion (within the existing site boundary) - Fayrehaven Caravan Site, Beetley (1 pitch) and Summer Meadow, Mill Road, Mattishall (1 pitch) to help meet the identified need. Is the evidence to support this assessment robust?

1. The Council considers the approach to the expansion of existing sites (as set out within EX.78) to be suitably robust.
2. The full assessments of the individual sites are provided at appendix 2 of the gypsy and traveller topic paper (EX.78). The methodology for the assessment is set out at paragraph 13 of the topic paper. This sets out three key stages:
 - a. The sites have been assessed having regard to the criteria set out within Policy HOU08, similarly to how a planning application would be assessed. This has included a planning history check for the site.
 - b. A site visit has been carried out to each of the sites, and discussion held/undertaken with the site owners in relation to their proposed intentions.
 - c. The Council has sought consultation responses from Norfolk County Council as the highways authority in relation to the individual sites. They have confirmed the ability to achieve safe access at both Beetley and Mattishall.
3. The Council considers that the site assessments are suitably robust to support the identification of the individual sites at Beetley and Mattishall. However for completeness the two sites have also been subject to sustainability appraisal. This is included as Appendix A. The pitches are proposed for expansion within their existing site boundaries and there is no need for land beyond the owners' control. Furthermore, the site owners have confirmed their intent in relation to the expansion of these sites to meet their own need. The sites are considered to be both deliverable and developable in the context of footnotes 4 and 5 of the planning policy for travellers sites. This sets out that to be deliverable, sites should be available now, offer a suitable location for development, and be achievable with a realistic prospect that development will be delivered on site within five years. To be developable, sites should be in a suitable location for traveller site development and there should be a reasonable prospect that the sites are available and could be viably developed at the point envisaged.
4. The inclusion of the sites within Policy HOU08 does not override the requirement of a planning application for the individual sites. Furthermore, the modifications to the policy would also need to be subject to sustainability appraisal.

1.29 To be positively prepared, should Policy HOU08 refer to the expansion of the two sites?

5. The Council considers that there is a need for revision to Policy HOU08 as a result of the findings of the topic paper; this includes referencing the expansion of the two sites within the policy. A modification is proposed to the policy to refer to the two sites and this is set out at Appendix B of this mater statement.

6. Having regard to the proposed modifications, the policy is now considered to be positively prepared.

1.30 Are changes to Policy HOU08 and its supporting text required to address the updated level of supply identified and therefore need in the topic paper?

7. As set out within the previous issue, the Council considers it necessary to propose modifications to the policy and the supporting text to reflect the updated level of supply. The proposed modifications are included within Appendix B of this statement.

1.31 Is the reliance on Policy HOU08 to deliver the identified need for pitches past 2026 justified?

8. The GTANA shows a need for 2 pitches to be delivered between 2026 and 2036, this is as a result of new household formation. The national planning policy for travellers sites sets out at paragraph 10b that local planning authorities should identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15.
9. The criteria based approach for delivery to meet the need from year 9 of the plan period is considered to be justified. The criteria within the policy are considered to be sufficiently flexible in order to enable sites to come forward in a broad range of locations. The criteria are also considered to conform to the requirements of paragraph 13 of the planning policy for travellers sites, including the need to provide a sustainable location for development, promote a peaceful and integrate co-existence between the site and the settled community.

1.32 The Council's topic paper has not sought to identify additional sites/pitches for the identified need for 2 plots for travelling show people. Is the reliance on windfall development in this regard justified?

10. The GTANA identifies a need for 2 additional plots for travelling show people, 1 within the 11-15 year time period and 1 within the 16-20 year time period. The GTANA sets out that the need for these two plots is from new household formation. As part of the GTAA, the Showman's Guild were contacted and they confirmed that Travelling Showpeople wish to own their yards, they do not want public provision. (GTAA, page 28 paragraph 5.22).
11. As set out above in response to issue 1.31, the national planning policy for travellers sites only requires local planning authorities to identify developable sites for years 11-15 *where possible* (emphasis added). The Council considers that it is justified and in accordance with national policy to rely on a criteria based policy to deliver the additional plots needed later in the plan period for travelling showpeople.

Appendix A: Sustainability Appraisal

Fayrehaven Caravan Site, Halfpenney Lane, Beetley

SA Objectives																			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	Summary
+	+	+	0	0	+	+	0	+	+	0	0	-	0	-	+	0	0	0	*

* Summary comments (SA):

The site is located on previously developed land as it forms intensification to the existing site within the existing boundary. It also scores positively in relation to objectives in relation to climate change, biodiversity, landscape and the historic environment. It will also provide residential accommodation so scores positively in relation to objective 16 ensuring all groups have access to affordable, decent and appropriate housing that meets their needs. The site scores negatively for objectives relating to access to services and facilities. Whilst the site is approximately 1.3km from Beetley, it is connected by footway provision which does form a safe walking route.

Overall the site predominantly scores either positively or neutrally against the sustainability appraisal objectives.

Summer Meadow, Mill Road, Mattishall

SA Objectives																			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	Summary
+	+	+	0	0	+	+	0	-	+	0	0	-	+	+	+	0	+	0	*

* Summary comments (SA):

The site scores negatively in relation to objectives to maintain the character and distinctiveness of the landscape/townscape as it is located in an area which has a moderate to high sensitivity to change, furthermore the site is just beyond 1200m of open space and 800m of the primary school. The site is however located within a local service centre village. The site is on previously developed land and will also provide residential accommodation so scores positively in relation to objective 16 ensuring all groups have access to affordable, decent and appropriate housing that meets their needs.

Overall the site predominantly scores either positively or neutrally against the sustainability appraisal objectives.

Appendix B: Proposed Modification to Policy HOU08 and Supporting Text

Travellers and Travelling Showpeople

The Planning Policy for Travellers Sites (PPTS 2015) defines the travelling community as comprising Gypsies, Travellers and Travelling Showpersons. Gypsies and Travellers are defined in the PPTS as 'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependents' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such'. Travelling Showpersons are defined in the PPTS as 'Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above'.

In determining whether persons are 'Gypsies and Travellers' for the purposes of this policy, consideration should be given to the following issues amongst other relevant matters:

- a. Whether they previously led a nomadic habit of life;
- b. The reasons for ceasing their nomadic habit of life;
- c. Whether there is an intention to living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

The Council is required to plan for the future needs of Travellers in the District over the plan period up until 2036. In respect of those Gypsies and Travellers who do not lead a nomadic lifestyle, Breckland Council will continue to assess and plan to meet their needs as part of its wider responsibilities to plan to meet the accommodation needs of its settled community.

The needs assessment for the purposes of decision making is the Gypsy and Traveller Accommodation Needs Assessment (or successor document). The document covers the period 2012-2036. This document forms the main evidence base for the Local Plan. The study covers the needs of Gypsies (including English, Scottish, Welsh and Romany Gypsies), Irish Travellers, New (Age) Travellers, and Travelling Showpeople. There are 25 sites in total in the Breckland Council area. The GTANA has sought to establish the accommodation needs of the Gypsy, Traveller and Travelling Showpeople population in the study area (Breckland Council Area) through a combination of desk-based research, stakeholder interviews and engagement with members of the travelling community living on all known sites.

The ~~study~~ GTANA identified the following requirements:

Need for Gypsy and Traveller and Travelling Show People Accommodation in Breckland		
Year	Need for Gypsy and Traveller Pitches	Need for Travelling Showpeople Plots
2016-21	7	0
2021-26	1	0
2026-34	1	1
2031-36	1	1
Total	10	2

The GTANA shows that the need for 10 additional pitches for households that meet the new definition is made up of 1 unauthorised pitch, 3 concealed adult households, 2 older teenage children in need of a pitch of their own in the next 5 years, and 4 from new household formation.

Subsequent to the publication of the GTANA a review of planning permissions has been carried out. The Council has identified a site at Docking Wood, Leys Lane, Attleborough (3PL/2010/0381/F), which should be included within the supply, however was not through the GTANA. The site provides an additional 6 gypsy and traveller pitches.

The Gypsy and Traveller Topic Paper provides an assessment of existing permitted sites where there is need arising for additional pitches, and assesses whether they can be expanded. The topic paper considers that the following two sites would be suitable for expansion for 1 pitch each:

- Fayrehaven Caravan Site, Beetley
- Summer Meadow, Mill Road, Mattishall

Having regard to the additional supply identified through the topic paper, the requirement for Gypsy and Travellers sites as identified through the GTANA needs to be revised. There is a need for 4 additional Gypsy and Traveller Pitches over the period 2016-2036. There is a need for 1 of these pitches to be provided within the first five years (or period). The topic paper also identifies two sites which are recommended for expansion which would provide for 2 of the 4 pitches required.

The ~~study~~ GTANA identifies that transit sites should be used for temporary stopping only. They are useful particularly in circumstances where the authorities are re-directing travellers from inappropriate unauthorised encampments. It is important to understand that provision should be used to accommodate only travellers who are genuinely leading a nomadic lifestyle (evidenced by transient employment activities). It is not appropriate to use such sites as low cost provision for those with a permanent pitch elsewhere or are travelling to visit friends, family or on route to a holiday or festival destination.

It is considered that a criteria based policy approach is a reasonable, pragmatic and proportionate response to the current situation for the Local Plan. It can provide an appropriate response to any proposals received to address the modest level of need identified. Needs assessments are reviewed periodically. There will be a need to monitor the plan and review it as necessary to take account of more up to date evidence.

National policy sets out a range of issues to consider when assessing applications for Traveller site development. In assessing new sites, the site should be in a sustainable location and should be in reasonable proximity to local services and facilities. Community infrastructure needs will include health, education and transport links. In order to deliver sustainable communities, and quality place making, development proposals will be required to consider the amenity of new residents and impacts on surrounding communities or other neighbours/neighbouring land uses such as businesses and open space in line with relevant spatial and design policies. In doing so, regard will be had to community cohesion and good design principles such as integration, ensuring no adverse impacts arise from new development. Residential housing mitigation requirements for European sites are also applicable to plots and pitches for Gypsies, Travellers and Travelling Showpeople.

To ensure that the levels of Gypsy and Traveller and Travelling Showpeople accommodation are maintained, the Council will resist the loss of existing sites, including the conversion to permanent dwellings. Existing Traveller sites will therefore be safeguarded to meet the

continuing housing needs of these communities ensuring that sites are not lost to competing uses. Unrestricted means not subject to conditions restricting the time of occupancy such as temporary or personal planning permission. The following policy will apply to any new permission granted as well as to existing sites.

Policy HOU08 – Provision for Travellers and Travelling Showpeople

The Local Plan supports the provision of the following:

1. ~~40~~ 4 additional pitches for Gypsy and Traveller households, of which ~~7~~ 1 should be provided in the first five years of the plan;
2. 2 additional plots for Travelling Showpeople, to be delivered in years 11-15 and years 16-20 of the Local Plan.

These additional pitches / plots (and any additional requirements associated with newly confirmed need from unknown households) will be secured via:

3. Support for the expansion of existing sites; and / or
4. The provision of new sites where the criteria below are met.

The Local Plan supports the expansion of the following Gypsy and Traveller sites each for 1 additional pitch, subject to a planning application:

- Fayrehaven Caravan Site, Beetley
- Summer Meadow Mill Road, Mattishall

The provision of pitches and plots on new sites will be supported in accordance with the Gypsy and Traveller Accommodation Needs Assessment where:

1. The site is otherwise suitable for residential development and the associated necessary infrastructure requirements will be made available as part of the development proposal;
2. The site will have safe access to the highway and will not result in any unacceptable impact on the capacity and environment of the highway network;
3. The site is in a sustainable location in reasonable proximity to relevant services and facilities including but not limited to transport, education, healthcare and other community infrastructure provision;
4. The ability to achieve neighbourliness can be demonstrated in relation to the living conditions of current or future residents of the site and interaction with immediate neighbours and the wider settled community neighbourhood; and
5. The site is sensitive to local character and does not have an adverse visual impact on the character and appearance of the surrounding landscape.

Preference will be given to brownfield locations and those that can readily be serviced. Transit sites should be in close proximity to the main established travelling routes in the area.

Sites that have unrestricted planning permission for Gypsy and Traveller or Travelling Showpeople use are safeguarded for this use. Planning permission for alternative development or changes of use will not be permitted, unless it can be robustly evidenced that there is no longer a need for Gypsy and Traveller provision.