

GYPSY AND TRAVELLER PLAN - SITE OPTIONS CONSULTATION

Local Planning and Environment Advisory Committee – 25 March 2014

Report of Chief Planning Officer

Status: For consideration

Also considered by: Cabinet – 10 April 2014

Key Decision: No

Executive Summary:

The Gypsy, Traveller and Travelling Showpeople Accommodation Assessment completed in March 2012 identified a need to provide 72 pitches between 2012 and 2026 to meet the needs of those forecast to meet the planning definition of a Gypsy and Traveller. The Planning Policy team is preparing a consultation draft of the Gypsy and Traveller Plan to put forward a series of site options for further consideration of their suitability, deliverability, and achievability to deliver the identified need for Gypsy and Traveller pitches across Sevenoaks District. It is important that the Council develops a plan to meet this need, as without the identification of suitable sites, the Council will find it hard to resist new proposals for sites across the District coming forward through the development management (including appeal) process, regardless of their location. Initial assessments have been conducted on the constraints of each site option (Appendix 2), and the purpose of the consultation (Appendix 1) is to seek the views of all stakeholders on these sites, as well as provide an opportunity to put forward other sites that may be considered more suitable.

This report supports the Key Aims of the Community Plan

Portfolio Holder Cllr. Ian Bosley

Contact Officer(s) Kirsti Johnson ext. 7134

Recommendation to Local Planning and Environment Advisory Committee:

It be resolved that the Local Planning and Environment Advisory Committee endorse the recommendation to Cabinet, subject to any identified amendments to the consultation document.

Recommendation to Cabinet

- (a) That the 'Gypsy and Traveller Plan – Site Options Consultation' (Appendix 1) and the Gypsy and Traveller Plan – Site Options - Assessments (Appendix 2) be
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published for consultation (along with the Sustainability Appraisal) during a period to be agreed by the Portfolio Holder.

- (b) That the Portfolio Holder is authorised to agree minor presentational changes and detailed amendments to the consultation documents to assist their clarity.
- (c) That the consultation document is published on the Council's website and made available to purchase in hard copy at a price to be agreed by the Portfolio Holder.

Reason for recommendation:

To allow for the preparation of the Gypsy and Traveller Site Provision Plan in accordance with the Local Development Scheme.

1. Introduction

- 1.1 Government policy requires local planning authorities to identify the accommodation needs of Gypsies and Travellers and prepare a plan to show how these needs will be met. Gypsies and Travellers are recognised as being a distinct ethnic group and are protected from discrimination through the Equalities Act 2010. The Government wish to ensure fair and equal treatment for 'travellers' in such a way that facilitates their traditional and nomadic way of life while respecting the interests of the settled community.
- 1.2 The Gypsy and Traveller Plan, once adopted, will form part of the LDF/Local Plan, and will allocate a number of sites that provide for the identified accommodation needs of Gypsies and Travellers across Sevenoaks District. Before the Council can adopt a Gypsy and Traveller Plan it must be subjected to independent examination and found sound by a Government-appointed Planning Inspector. It is critical, therefore, that the suitability and deliverability of sites is robustly assessed and that sound planning reasons can be presented for the Council proposing or rejecting sites. These documents (appendices 1 and 2) form the first stage of this process and set out potential site options, and an assessment of the planning issues relating to these sites, that it is proposed the Council should seek the views of the public and stakeholder organisations on. The site options consultation document, and the evidence base, can be given very little weight in the planning process at this early consultation stage.

2. Evidence Base

- 2.1 National Planning Policy for Traveller Sites (PPTS) states that local 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’.

- 2.2 The Council undertook a Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) in March 2012. The study identified a need for 40 pitches to be delivered over the period 2012-2016 (when applying the planning definition tests of Gypsy and Travellers) and a subsequent need for a further 32 pitches over the period 2017 to 2026 (a total of 72 over the period 2012-2026). These figures compared to the 2006 GTAA findings that 64 pitches would be required in the period 2006-2011 and 184 pitches would be required over the period 2006-2026.
- 2.3 The GTAA was based on information from key stakeholders (KCC, SDC and Kent Police, for example) and a survey of 86 Gypsy, Traveller and Travelling Showpeople households currently residing in Sevenoaks. The survey included 66 household interviews on Gypsy and Traveller sites (54% of the estimated total number of households) and 20 with Gypsies and Travellers living in bricks and mortar. The GTAA notes that many of the pitches required in the District in the period 2012-2016 are required to provide permanent pitches for those households currently on temporary and unauthorised sites, where these meet the planning definition tests. As a result, the net increase in the number of pitches in the District over this period is likely to be much lower than 40. Of those 40 pitches required in 2012-2016 that are not needed to provide permanent accommodation for households on temporary or unauthorised sites (9 pitches), these are all to provide for concealed (doubled up) households currently residing in the District or new households forecast to form in the period from children of existing households in the District. No need has been identified from households moving into the District.
- 2.4 A ‘call for sites’ was conducted during both the Allocations (Options) consultation in 2010 and the Development Management: Draft Policies for Consultation in 2011. This did not result in any suitable sites coming forward for potential allocation. Therefore a subsequent call for sites was undertaken in August 2012, which did receive some interest for potential new sites, potential extensions to existing permanent sites, and additional pitches on existing private sites.
- 2.5 Discussions have also been held in-house with the Council’s Housing, Property, Development management and Enforcement Teams to suggest potential sites in SDC ownership or others than may come forward through the planning system. Discussions have also taken place in a similar manner with KCC regarding the potential for any sites, or extension to existing sites

that could be put forward to assist with meeting the identified need for Sevenoaks District.

3. Potential Site Options

- 3.1 In order to meet the identified need, a variety of sources of potential site options have been explored to ensure all known site options at this stage in the process can be equally assessed. These sources of sites are:
- Proposed Allocations - as put forward in the Allocations and Development Management Plan
 - Existing temporary sites
 - Increasing capacity within existing permanent sites
 - Extending existing public sites
 - Suggested sites identified in the “call for site” exercise, and
 - Currently Unauthorised sites
- 3.2 All sites have been initially assessed according to the criteria adopted in Core Strategy Policy SP6 for their potential suitability to provide Gypsy and Traveller accommodation. These criteria are outlined in section 6.5 of the Sites Options Consultation document (Appendix 1).
- 3.3 Whilst Core Strategy Policy SP6 states that ‘alternatives should be explored before Green Belt locations are considered’ and national policy states that the Green Belt should be protected from inappropriate development, it appears from the work undertaken to date that it will not be possible to meet the identified need without planning for Gypsy and Traveller sites in the Green Belt.
- 3.4 Following the revocation of regional strategies (e.g. the South East Plan), the Government has identified the statutory ‘Duty to Cooperate’ as the mechanism by which authorities should plan for regional and sub-regional issues, including where development needs can not be met as a result of constraints such as the Green Belt. Council officers have undertaken discussions with neighbouring authorities and understand it to be unlikely that they will be in a position to help SDC meet its needs. The consultation document provides a formal opportunity for authorities to respond on this issue.
- 3.5 Table 3 in paragraph 7.4 of the consultation document (Appendix 1) sets out the potential site options that the Council are seeking views on, following the assessment set out in Appendix 2. The total number of potential pitches that could be accommodated on these sites is more than the total need requirements for Sevenoaks District and it is hoped that this

consultation will identify additional options. Therefore, the Council is in a strong position to be able to choose the most suitable and deliverable sites going forward. It is not simply the case that all of the sites proposed must be taken forward in later versions of this plan and through to examination and adoption.

- 3.6 Table 4 in paragraph 8.1 of the consultation document sets out the sites that the Council's initial assessment, using the same criteria (set out in Appendix 2), has found to be unlikely to be suitable for allocation at this stage. The key reasons are outlined in Table 2. Views of stakeholders and the public are also sought on these sites and the planning assessment (Appendix 2).
- 3.7 As noted above, as part of this consultation, the Council are also seeking additional sites to be put forward. The Council will then assess whether these could potentially be more suitable than any of the proposed site options.

4. Timetable

- 4.1 The Local Development Scheme considered by Local Planning and Environment Advisory Committee (at its inquorate meeting) in January proposed the following timetable for the preparation of the Gypsy and Traveller Plan:

Consultation on Site Options	April / May 2014
Publication of Draft Plan (following approval of Full Council)	November / October 2014
Examination	July 2015
Adoption	December 2015

The Local Development Scheme will be considered by Local Planning and Environment Advisory Committee in July 2014.

- 4.2 The site options consultation document, and the evidence base, can be given very little weight in the planning process at this early consultation stage.

Other Options Considered and/or Rejected

Not approving the consultation document is the alternative option, but would result in further delays to the preparation of the Gypsy and Traveller Plan and leave the Council at risk of unplanned development.

Key Implications

Financial

Any cost will be met by the existing budget and staffing.

Legal Implications and Risk Assessment Statement.

If the decision not to consult on the site options it taken, this would result in further delays to the production of the Gypsy and Traveller Plan and subsequent future amendments to the LDS. There is also a risk that the Council will be unable to resist planning applications for this land use, or result in further appeals coming forward due to lack of suitably identified sites.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The plan will allocate land for future development of Gypsy and Traveller pitches to assist the Council in meeting the identified accommodation needs of the Gypsy and Traveller community up until the end of the plan period. The Local Plan currently identifies the provision for bricks and mortar housing, allocating sites across the District to meet that need. By ensuring that the needs of this minority group are fairly and equally considered by the Local Plan (in the same way as general housing and land allocations) the Council aims to prevent any discrimination against this group, via the planning process.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	A strategy which considers provision for adequate future homes for Gypsies and Travellers will make a positive contribution to this minority group. An Equalities Impact Assessment forms a background document to this report.
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts	N/A	N/A

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
identified above?		

Conclusions

It is important that the Council develops a plan to meet the identified need for Gypsy and Traveller pitches, as without the identification of suitable sites, the Council will find it hard to resist new proposals for sites across the District coming forward through the development management (including appeal) process, regardless of their location. Initial assessments have been conducted on the constraints of each site option, and the purpose of the consultation is to seek the views of all stakeholders on these sites, as well as provide an opportunity to put forward other sites that may be considered more suitable. It is recommended that the consultation document is published.

Appendices

Appendix 1 – Gypsy and Traveller Plan – Site Options

Appendix 2 – Gypsy and Traveller Plan – Site Options - Assessments

Background Papers:

Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2012)

Sustainability Appraisal of the Gypsy and Traveller Plan – Site Options

Equality Impact Assessment of the Gypsy and Traveller Plan – Site Options

Planning Policy for Traveller Sites (CLG, 2012)

Designing Gypsy and Traveller Sites – Good Practice Guide (CLG, 2008)

Mr Richard Morris

Chief Planning Officer