

PLANNING FOR GYPSY AND TRAVELLER ACCOMMODATION IN THE EAST OF ENGLAND: PROPOSED DRAFT POLICY

1 SUMMARY

- 1.1 This report provides details of the East of England Regional Assembly's (EERA) proposed draft policy on the provision of pitches for Gypsy and Traveller caravans in each district in the region.
- 1.2 The deadline for responses to EERA is 16 May 2008. A copy of the document has been placed in the Members' Library.

2 BACKGROUND

- 2.1 It has been accepted that the final version of the East of England Plan must include a policy to address the provision of Gypsy and Traveller accommodation, and EERA has given an undertaking to ensure this is the case.
- 2.2 An 'Issues and Options' document was published in May 2007, and the responses to that consultation have now been assessed and a draft policy prepared.

3 PROPOSED DRAFT POLICY

- 3.1 The proposed Policy H4 states:-

"To contribute to housing provision in the East of England as a whole provision will be made for at least 1,187 net additional residential pitches for Gypsy and Traveller caravans over the period 2006-2011. The regional provision will be distributed as follows:-

Rochford

Authorised pitches in 2006	3
Additional pitches required 2006-2011	15
Proposed pitches at 2011	18"

- 3.2 The policy also requires that local authorities should seek to adhere to the provision required by 2011 as soon as possible through the development control process and through the preparation of Local Development Documents. Local authorities are also required to consider options for rural exceptions sites through criteria based policies and the alteration of green belt boundaries where necessary.
- 3.3 Finally, beyond 2011, provision of pitches across the region should be made on the basis of a 3% pa increase calculated from overall planned provision in

2011. Unless indicated otherwise by a needs assessment, provision should continue based on the distributional strategy for 2006-2011.

4 IMPLICATIONS FOR ROCHFORD

- 4.1 The total pitch provision proposed for Rochford is 18, which would equate to about 36 caravans. A pitch would typically include a building, parking space and up to two caravans.
- 4.2 At present, there are 3 authorised pitches in the district, meaning that a further 15 pitches would need to be found by 2011, if the conclusions reached by EERA on need are accepted.
- 4.3 The proposed allocation of 15 pitches is actually 6 more than the option 1 proposal included in the 'Issues and Options' consultation. The calculation requirement for 9 pitches in Rochford was based on the work carried out by consultants working for DCLG and based on a formula that sought to use the number of unauthorised pitches as a proxy to calculate the requirement for authorised pitches.
- 4.4 The EERA preferred approach does not discount the formula-based approach, but modifies it to require a minimum level of pitch provision within each council area to 15 pitches. The effect of this distribution is to reduce provision somewhat in the four council areas that show the highest level of need (Basildon, Chelmsford, Fenland and South Cambridgeshire). The supporting text to the draft policy indicates that the distribution will broaden the choice available to the Gypsy and Traveller Community by providing at least some pitches in areas where previously little provision has been made.
- 4.5 Members will recall that when the 'Issues and Options' document was reported to the Executive Board last July, it was explained that the Essex districts had appointed consultants to review the methodology by the consultants advising DCLG and EERA and to consider the robustness of the information provided in the 'Looking Back, Moving Forward' analysis prepared by the Essex districts in early 2006 and published in parallel with Circular 1/2006 – Planning for Gypsy and Traveller Caravan Sites.
- 4.6 The consultants concluded that the Essex Gypsy and Traveller Accommodation Assessment (Looking Back, Moving Forward) significantly underestimated the number of additional pitches required in Essex by 2011, but on the other hand DCLG's consultant's calculation was a significant overestimate (28 pitches versus 186 pitches – plus unauthorised developments). The alternative approach proposed by the consultants concluded that a further 105 pitches would be required in Essex to 2011.
- 4.7 These conclusions have been considered by the Essex authorities and whilst concerns remain about the limitations of any methodology to accurately calculate need, the general view is that further work on the required provision to 2011 would not be justified and that efforts should be focussed on the post 2011 provision.

- 4.8 The question is then whether the number of pitches proposed for Rochford in the draft policy to 2011 is reasonable. Certainly, 15 pitches is a modest number when set against the total housing provision for the district. Over the period to 2011, the district is required to provide about 1250 dwellings or 250 per annum. A pitch provision of 15, say 30 caravans, would mean that up to 6 of the total of 250 units would need to be provided as gypsy caravans.
- 4.9 If the pitch number included in the draft policy is accepted as reasonable, then decisions will need to be taken from two perspectives to enable 15 pitches to be delivered by 2011. First, Members will need to carry out a review of unauthorised pitches in the district and determine whether any of these would satisfy site assessment criteria in order to justify issuing planning consent. The criteria that could be used to determine the acceptability of a site are those included in Policy HP20 of the adopted local plan together with the advice published by the government (Guidance on the design of sites for Gypsies and Travellers).
- 4.10 Second, once an assessment of unauthorised sites had been completed, any outstanding provision would be apparent and provision for this balance could then be delivered through the preparation of the Rochford Core Strategy and supporting development plan documents. The next version of the Core Strategy is due to be published for public consultation in June/July, but Members will recall that a clear statement of intent was included in the draft Core Strategy, published in May 2007 to the effect that a policy would be prepared that reflected the requirements of EERA's review and that Gypsy and Traveller needs would be accommodated as part of the mainstream housing allocations. Since the EERA's preferred approach is now clear, this can be reflected in the next version of the Core Strategy when it is published.
- 4.11 The draft policy only provides pitch provision figures to 2011. For the period beyond 2011, the policy proposes that there should be an annual 3% pa increase in the level of pitch provision. This could mean a requirement for a further 7 pitches to be provided between 2011 and 2021. However, the Essex authorities have agreed to appoint consultants to undertake an assessment of need post 2011 and the policy allows flexibility in provision by indicating that a 3% pa increase should be achieved unless evidence from Gypsy and Traveller Accommodation Assessments suggests otherwise. The Essex work would therefore inform the final pitch provision requirements post 2011.

5 CONCLUSIONS

- 5.1 A great deal of work has been carried out both by EERA and separately by the Essex districts to seek to understand the need for Gypsy and Traveller accommodation in the period to 2011. Whilst it is possible to quibble with the conclusions reached by EERA and incorporated into draft policy H4, it is considered the pitch provision figure for Rochford is relatively modest, reflecting a low level of demand for accommodation in the district. On that

basis, it is concluded that EERA be advised that Rochford does not wish to object to the proposed allocation.

- 5.2 The Essex districts are continuing to review the position post 2011 and the draft policy allows for the findings of an updated GTAA to be adopted if that proves to be more appropriate than the 3% pa across the board increase included in the policy.

6 RISK IMPLICATIONS

- 6.1 There is little doubt that where a need is identified for the provision of Gypsy and Traveller accommodation, local planning authorities will find it increasingly difficult to defend planning and enforcement appeals in situations where there are no alternative authorised sites available.

- 6.2 A recently published report prepared for DCLG – The Road Ahead: final report of the independent task group on site provision and enforcement for Gypsies and Travellers says:

“The message to local authorities must be this: take action to plan for sites in appropriate locations in your areas or the decision may be taken out of your hands.”

- 6.3 A suggested approach to dealing with pitch provision through development control and the preparation of the Rochford Core Strategy and related development plan documents is set out in this report.

7 ENVIRONMENTAL IMPLICATIONS

- 7.1 There is little doubt that the identification of acceptable sites for Gypsy and Traveller accommodation is challenging, but the need identified for Rochford is modest, particularly when set against the likely requirement of sites for at least 2500 new dwellings to be found in the district up to 2021. Well-run sites can be integrated successfully into local communities to enable Gypsies and Travellers to use schools and other services in the same way as the settled community.

8 RECOMMENDATION

- 8.1 It is proposed that the Board **RESOLVES**

- (1) To accept the proposed provision of 15 pitches for Gypsy and Traveller accommodation to 2011 included in the draft policy H4 prepared by the East of England Regional Assembly for inclusion in due course in the East of England Plan.
- (2) That the post 2011 provision be informed by an updated Gypsy and Traveller Accommodation Assessment.

- (3) That work be progressed and a report prepared on the acceptability or otherwise of all currently unauthorised sites to become authorised to make a contribution to the required pitch provision.
- (4) That details be included in the next version of the Rochford Core Strategy to explain the arrangements for further pitch provision to ensure the total number of authorised pitches in the district reaches 18 by 2011.

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Background Papers:-

The Road Ahead: Final Report of the independent task group on site provision and enforcement for Gypsies and Travellers, DCLG, December 2007.

Planning for Gypsy and Traveller Accommodation in the East of England: Issues and Options, EERA, May 2007.

Looking Back, Moving Forward, Assessing the housing needs of Gypsies and Travellers in Essex, EPOA, February 2006.

Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies, DCLG, March 2007.

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