

## **Havering London Borough Gypsy and Traveller Sites Local Plan**

### **Inspector's Preliminary Questions for the Council**

This note seeks further information about the Gypsy and Traveller Sites Local Plan (GTLP) and sets out matters on which I am seeking clarification before the examination proceeds much further. Some of the matters raised are merely designed to elicit additional evidence and background details whilst other matters raise some concerns which could potentially affect the soundness of the GTLP. At present I am merely seeking to understand the Council's position clearly. If and when the examination progresses there will be the opportunity for all other interested parties to comment in due course.

This note and the response to it should be published on the Council's dedicated webpage to enable interested parties to follow proceedings and, in due course, to make their own comments upon the issues. I would ask that the Council provides a full response by no later than 11 January 2013. The note should be published as soon as possible following receipt by the Council so that interested parties are aware of the current position.

Where the questions seek clarification regarding the evidence base it would be helpful if precise references were made to relevant documents.

#### **Section 1: Main areas of clarification**

1. Can the Council demonstrate that it has complied with the duty to co-operate set out in section 111 Localism Act? A failure to comply with this duty cannot be rectified subsequently and it is essential that the Council provides a statement setting out fully when, how and by what means this duty has been met.

##### *Evidence base*

2. The needs assessment is essentially a refresh of the 2004 needs assessment. Please provide a copy of the 2010 needs assessment update document and ensure that this document is published on the Council's website and interested parties are alerted to it so that, in due course, they may have the opportunity to comment upon it.
3. When producing the 2010 needs assessment please explain whether or not: (a) hidden need and (b) needs outside the borough, have been assessed. If not, why not. If such needs have been assessed please confirm how this has been done and the conclusions reached.
4. From what I have seen it appears that sites currently with temporary planning permissions have been categorised as part of the current supply as opposed to part of the need. I have concerns that this distorts the level of immediate need within the Borough, albeit I note that the GTLP makes provision to regularise the position with many of those sites with temporary permission by allocating them as permanent sites.

*The policy approach to meeting the identified need*

5. Core Strategy policy CP2 sets out the requirements in relation to Sustainable Communities. Its final bullet point provides that such communities will be achieved by '*identifying sites to meet the identified needs of gypsies and travellers in a Gypsy and Travellers DPD*'. Does the Council consider that its approach in the GTLP is consistent with this policy which could be taken to indicate that all of the present and future need will be met? What are the Council's views on this?
6. Given my indication as to the categorisation of temporary planning permissions not forming part of the current supply, the Sustainability Assessment does not grapple with those sites with temporary planning permission in the overall assessment of need. Could the Council please provide comments on this issue. Following on from this, I should be grateful of the Council's views as to the adequacy of the assessment of need.

*Effectiveness of the plan/deliverability*

7. All of the allocated sites are to remain within the Green Belt and therefore any subsequent application for planning permission on an allocated site will be subject to the test set out in the National Planning Policy Framework of the requirement to demonstrate **very special circumstances**. In addition proposed policy GTS2 of the Submission GTLP provides that applications for Gypsy and Traveller sites will be considered against Core Strategy Policy DC8 which in turn sets out detailed requirements and then provides that sites within the Green Belt will only be acceptable in **exceptional circumstances** and where through their design, layout and landscaping they minimise its impact on the openness of the Green Belt, do not prejudice the purposes of including land in the Green Belt, do not prejudice the recreational usage of the Green Belt or involve the loss of high grade agricultural land.
8. Three questions arise from this:
  - (a) To what extent does the Council consider proposed policy GTS2 to be consistent with national policy?
  - (b) Since policy GTS2 does not appear to establish the principal of acceptability of the allocated sites in the Green Belt and therefore gives rise to some uncertainty as to whether the needs will be met, I have a concern about the effect of this policy requirement on the deliverability of allocated sites and would invite the Council's comments on this matter in terms of the overall effectiveness of the policy.
  - (c) What consideration, if any, did the Council give to the possibility of excluding sites within the Green Belt so as to

accommodate a site inset within the Green Belt as indicated as a possibility within paragraph 15 of the national Planning Policy for Traveller Sites.

9. Suitability of allocated sites: what consideration, if any, did the Council give to the acceptability of sites in terms of the living conditions of intended occupants when it assessed the proposed sites? In particular, I have in mind the sites allocated in policies GTS15-GTS17 which are located close to an operational waste transfer station.
10. Finally, I appreciate that the boundaries of allocated sites appear to be determined by landownership boundaries. However, please explain whether there was any consideration given to the size of the site and the number of pitches allocated. I note that some allocated sites in the Green Belt are large sites allocated for a smaller number of pitches whereas smaller sites have been allocated for a larger number of pitches.

## **Section 2: other more minor clarifications**

11. Model sustainability policy. I note that the GTLP was published prior to the publication of the National Planning Policy Framework and that the Council's current intention is to introduce a policy setting out a presumption in favour of sustainable development into the GTLP as a minor modification. Please note that this will have to be treated as a main modification since this is the only means by which I can be assured that it will be introduced.
12. The Statement of Community Involvement provides that a review of this document will take place in 2010. Has such a review taken place and if so, please provide a copy of any documentation in relation to the review. If not, please confirm the Council's current intentions in relation to this matter.
13. The Core Strategy records that a review is anticipated in 2012. Has such a review taken place and if so, please provide a copy of any documentation in relation to the review. If not, please confirm the Council's current intentions in relation to this matter.
14. The Local Development Scheme (LDS) sets out timescales for progression of the Gypsy and Traveller Sites DPD. The published timescales have not been met. Has the LDS been updated? and if so, please provide a copy.

*Karen L Ridge*

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