

Examination into Havering London Borough Gypsy and Traveller Sites Local Plan (the Local Plan)

Inspector's Note Regarding Issues with the Local Plan

1. The Local Plan was submitted on 3 December 2012 which is the date when the Examination commenced. As part of the Examination process, in mid December, a note was sent from the Inspector to the Council entitled 'Inspector's Preliminary Questions for the Council'. The Council formally responded to the matters raised in that note on the 11 January 2013. Both the Inspector's note and the Council's response have been published and are available on the Examination website.
2. On the 9 and 10 April 2013 Hearings were held as part of an Examination into the Local Plan. On the 11 April 2013 I undertook a series of accompanied site visits which had previously been agreed during the Hearings. During the Hearings a number of matters were explored which examined issues relating to legal compliance and the soundness of the Local Plan and its evidence base and processes. These matters were raised either by myself as the examining Inspector or on behalf of objectors who had made written objections. A number of objectors were represented at the Hearings or attended in person and made representations.
3. At the end of the Hearings, in response to a request by the Council representatives, I agreed that I would produce a note setting out my outstanding, main concerns in relation to the Local Plan and the processes and evidence which underpin it.
4. The purpose of the note is to provide the Council with a clear idea as to the outstanding issues upon which I have concerns and which go to the question of soundness of the Local Plan. The note is not intended to be a detailed account of the outstanding issues; rather it is to provide a general indication of the areas which, in my opinion, will need to be addressed. These concerns were raised during the Hearing sessions. It is anticipated that the note will enable the Council to review its position and come to a decision as to the appropriate way forward. I shall set out below my remaining concerns.

Issues and concerns

Lack of conformity with national policy

5. The Local Plan does not currently meet the requirements in the national policy *Planning policy for traveller sites (PPTS)* for pitch targets to address the likely accommodation needs of gypsies and travellers, as well as identifying a supply of specific deliverable sites to provide five years' worth of sites and identification as to sites or broad locations for future growth beyond the first five years.

6. The Local Plan does not currently identify pitch targets and does not address future growth requirements and it will need to do so if it is to progress further. The Council has completed a 'refresh' of its earlier Gypsy and Traveller Accommodation Assessment. This exercise has resulted in the identification of an immediate unmet need of some 61 pitches together with a future growth projection of a further 40 households being formed in the plan period. These figures should be reflected in any pitch targets.
7. Requirements in the Local Plan expressly providing that planning permission will not be granted to future sites in the Green Belt, over and above the 61 pitches allocated, are at variance with national policy in PPTS and in the National Planning Policy Framework. Similarly, restrictions on any increase in pitch numbers in the Green Belt (over and above the allocation of 61 pitches) save for limited expansion to existing sites is also not justified. The provision in policy GTS2 providing that up to December 2015 planning permission will only be granted to gypsies and travellers in the Borough as at June 2011 is arbitrary and contrary to national policy. These matters should be revisited.

Issues and Options/Allocations

8. I have concerns relating to the deliverability of the plan objectives and its flexibility in terms of meeting changing circumstances. In terms of deliverability, the number of pitch allocations made is the same as the number of pitches required to meet current unmet need. If any of the allocated pitches are not delivered then there will remain an unmet need. There are real concerns in relation to the deliverability of the site at Mariecot Bungalow and the ability of other existing sites to meet the accommodation needs of families who would be relocated from existing sites which are not proposed to be allocated. The plan does not contain any flexible arrangements in the event that the allocated sites do not come forward.
9. In addition, the Local Plan makes no allocations for provision to meet any element of the future projected growth. Most importantly the plan is effectively silent in terms of how the future growth is to be met. This is a serious omission which will need to be addressed.
10. Other concerns relate to the basis on which sites were allocated. Whilst the proposed methodology appears to be reasonable, the application of the methodology is not entirely clear. In other words the assessments which have been made which have led to judgments on which sites should be allocated are not clearly explained. Examples include some assessments in which there is no evidence that the fallback position has been taken into account when looking at the potential effect of a gypsy site. In other assessments there is little evidence to suggest that the Council has looked at the harm which would be caused to specific objectives of special designations and in others some larger sites have been discounted without consideration given to reducing the site size. There is a lack of information about

other land in the Borough, namely Council land, which was considered for sites but found to be unsuitable for various reasons.

11. The Local Plan currently lacks set pitch targets and makes no provision for future growth. Coupled with this there are questions relating to the allocation and deliverability of the sites which are proposed for allocation. I consider that these deficiencies could only really be addressed by undertaking a re-assessment of the sites to be allocated in light of realistic pitch target figures. The re-assessment should look flexibly at sites and how sites could be developed, including on a phased basis if appropriate. Any future proposed allocations must be realistic and must have regard to pitch targets and to the need to make provision for future growth.
12. In terms of flexibility, the Council could also look at other devices such as a review mechanism after a period of time, which may or may not coincide with a review of its overall land allocations. In addition consideration could be given to the provisions of paragraph 15 of the PPTS in terms of the appropriateness of removing land from the Green Belt to meet a specific need for sites. This may be particularly relevant for large sites, adjacent groups of sites or sites abutting the Green Belt boundary.
13. Any such re-assessment work would, of course, have to be subject to sustainability appraisal (SA). It is important that any further SA work is not regarded by the Council solely as a presentational issue, but one of substance and is a fresh and objective assessment of appropriate alternatives made in the light of the full scale of needs that have to be met. The SA process should inform the Council's decisions in relation to the contents of the Plan and thus consideration of these matters by the Council will need to be part of the timetabled process. All changes to the plan arising from addressing these concerns, and any new supporting evidence, would need to be the subject of appropriate consultation undertaken by the Council. I would then need to take into account all the further representations received.
14. As discussed with the Council at the Hearing, I am prepared to allow the Council a period of 4 weeks from the date of this note to consider matters and to give an indication as to its intended course of action. Once the Council has set out the further work it plans to undertake and the timetable for all the consequential processes, I will consider whether I should suspend the Examination for a fixed period to enable the matters to be progressed. If the Council does not intend to undertake further work in response to these concerns I would issue a short report confirming that the Plan is unsound; alternatively, to save the further expense of my report the Council would have to withdraw the plan.

Karen Ridge

EXAMINING INSPECTOR
19 April 2013