

London Borough of Havering

Havering Local Plan 2016 – 2031

Inspector's Note – Gypsy and Traveller accommodation

1. Following the Hearings into the Examination, I am concerned that the Local Plan does not currently meet the requirements of Planning Policy for Traveller Sites (PPTS) to use a robust evidence base to establish Gypsy and Traveller accommodation needs. Nor does it identify sufficient sites to meet that need.
2. Further work is therefore required to the GTAA as set out below. This is likely to result in modifications being required to the Plan in order to set out revised pitch targets and to allocate additional sites.

Gypsy and Traveller Accommodation Assessment (GTAA)

3. Figure 7 of the GTAA requires updating to incorporate recent planning permissions and actual numbers of pitches on site. Updated need arising from these sites should be reflected in Figure 9.

'Unknown' Households

4. The survey which informed the GTAA was carried out in June and September. Traditionally, these periods encompass times that Gypsies and Travellers are away travelling. As a result, the survey work only had a success rate of 40%. The Council's advisors confirmed at the Hearing that this is a low percentage. However, they were satisfied that the proxy interviews undertaken give a robust indication of the likely number of Gypsies and Travellers living on sites where no interview took place. Nevertheless, the Council has taken the decision in the Plan not to include the need identified from proxy interviews. Neither has it sought to carry out further survey work in order to obtain actual responses.
5. The need arising from these sites is not unknown in the sense that these households are residing on existing sites in the Borough. What is unknown about them is whether those living on the sites meet the planning definition of a Gypsy or Traveller or not.
6. In order for the Plan to be considered sound, either the Council needs to accept the advice of its advisors that the proxy interviews are robust and include these figures in their need, or further survey work is required to ensure a significantly higher percentage of the Gypsy and Traveller population is reached.
7. Allied to the above, I have concerns regarding the Council's approach to applying the planning definition to 'unknown' households. The GTAA states at paragraph 7.28 that a suggested national average figure of 10% of households meeting the planning definition could be used. However,

based on locally derived figures, this could be as high as 91%. At the Hearing a figure of 75% was suggested by the Council's advisors but no justification for this figure was presented. Further work is required to determine and fully justify the percentage of households not surveyed who are likely to fall within the planning definition.

8. The GTAA states that the demand from 'unknown' households could be up to 102 pitches or 93 pitches if the locally derived proportion of households meeting the planning definition is applied. These are potentially substantial figures which the Plan currently does not include within the need.
9. A 1.5% household formation rate is applied to these figures compared to the 2% for the interviewed households. Further justification is needed for this approach.
10. In summary, the Plan should identify the need for Gypsy and Traveller pitches arising from known households and also estimate the need arising from 'unknown' households ie. those not surveyed. The estimated need should be fully justifiable.

Need from households who do not meet the planning definition

11. The GTAA identifies the need for a further 2 pitches for those interviewed households who do not meet the planning definition. This figure is likely to change as a result of further consideration of the 'unknown' households as set out above. The GTAA should be updated accordingly.
12. The Plan currently does not seek to meet the need for those not meeting the planning definition. The Council therefore needs to explain how it intends to meet the requirements of Section 124 of the Housing and Planning Act 2016 to "*consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed*". How will the needs arising from this group be met?

Transit requirements

13. At the Hearing the Council acknowledged that there has been an increase in unauthorised encampments in recent months. Furthermore, the GTAA states that transit accommodation should be reassessed three years after PPTS was amended in 2015. Accordingly, the Council accepted that the approach to not providing transit sites should be reassessed as part of the further work to the GTAA.

Site allocations

14. PPTS requires that Local Plans should identify a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against locally set targets and to identify a supply of developable sites, or broad locations for growth for years 6 to 10 and, where possible, for years 11 to 15.
15. Therefore, in addition to updating the assessment of need as set out above, the Council should identify further sites to meet that need.

16. The Gypsy and Traveller Position Statement (GTPS) sets out the criteria applied to the allocated sites. It appears that not all sites which would have the potential to meet the need have been assessed.
17. The GTPS states that the allocated sites have been identified based on whether the occupants meet the planning definition of a Traveller. Having regard to my concerns set out above, this approach does not appear to be robust; there are likely to be Gypsies and Travellers living on existing sites which have not been allocated simply because the occupants did not respond to the survey.
18. All sites with the potential to meet the need (allocated sites and other sites which could meet the likely increased level of need) should be assessed against consistent criteria. The evidence needs to clearly justify why some sites have been chosen over others.
19. The number of pitch allocations is the same as the currently identified level of need. Concerns have been expressed by representors that some potential sites may not come forward. The Plan needs to contain flexible arrangements in order to ensure sufficient sites are available to meet the identified need. This could involve providing a review mechanism in the Plan in relation to Gypsy and Traveller pitch numbers, allocating further sites and / or providing flexibility in the policy wording.
20. I am concerned that the allocated sites remain in the Green Belt. Planning applications which come forward on these sites would therefore be required to demonstrate very special circumstances in order to be approved. PPTS states that, subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances. As such, it is likely to be very difficult for applicants to gain planning permission on the allocated sites and this raises a significant question over whether the sites would be deliverable. Paragraph 17 of PPTS advises that planning authorities may wish to consider making an exceptional, limited alteration to the defined Green Belt boundary to meet a specific identified need for a traveller site. The Council should set out how it intends to ensure that the allocated sites would be deliverable having regard to this advice in PPTS.

Policy wording

21. At a more detailed level, a number of modifications to the wording of Policy 11 will be required as follows:
 - Reference to 'maximum' in the policy and site allocations should be removed;
 - Criterion iii – this should relate to the layout to accommodate the number of pitches;
 - Criterion iv – insert the words "or are capable of being provided with" or similar;

- Criterion v – Landscaping and boundary treatment should be in accordance with policy 27;
- Criterion vi – remove and place in explanatory text;
- Criteria vii-ix – these should reflect PPTS paras 11, 13, 24 and 26: Parking and convenient access to the highway and public transport are not matters mentioned in PPTS and should not therefore be criteria in the policy.
- Criterion x – this should include the site occupants;
- Criterion xii – not necessary.

It is clear therefore that further work is necessary to enable me to determine whether the approach to Gypsy and Traveller accommodation in the Plan is sound or capable of being made so. I am unable to proceed further until I receive the necessary information. The Council should therefore provide me with a timescale for preparation and submission of the additional information by 23 November 2018.

Susan Heywood

INSPECTOR

12 November 2018