Babergh District Council

Statement of Response to Matters Raised by the Inspector

February 2013
Babergh District Council Matter 7

Matter 7 – Gypsies and Travellers

Q1 Issue: Does the Core Strategy accord with the requirements of national policy (Planning Policy for Traveller Sites)

Q1. Response

1.1 The table below sets out the requirements of national policy for Traveller Sites and details how the Babergh Core Strategy complies with this.

<table>
<thead>
<tr>
<th>NPPF</th>
<th>Babergh Core Strategy</th>
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<tr>
<td><strong>Introduction</strong></td>
<td>Babergh District Council assessed the accommodation needs for Gypsy and Travellers in the District in the Suffolk Cross-Boundary Gypsy and Traveller Accommodation Assessment completed during May 2007 (Core Strategy Library reference CS11). This report is currently being updated and it is anticipated that the report will be available during early-mid 2013. Initial feedback/ results of the GTAA update suggest that the outcome of the 2007 GTAA are still broadly the same and still very relevant.</td>
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<tr>
<td>a. LPAs should make their own assessment of need</td>
<td>Babergh District Council assessed the accommodation needs for Gypsy and Travellers in the District in the Suffolk Cross-Boundary Gypsy and Traveller Accommodation Assessment completed during May 2007 (Core Strategy Library reference CS11). This report is currently being updated and it is anticipated that the report will be available during early-mid 2013. Initial feedback/ results of the GTAA update suggest that the outcome of the 2007 GTAA are still broadly the same and still very relevant.</td>
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<td>b. LPAs should work collaboratively and develop fair and effective strategies to meet need through the identification of land for sites</td>
<td>The Council is fully involved and represented on the Gypsy Traveller Liaison Service for Suffolk and Norfolk (please view <a href="http://bdcdocuments.onesuffolk.net/assets/Uploads/Committees/Strategy/Agendas/110707-Agenda.pdf">http://bdcdocuments.onesuffolk.net/assets/Uploads/Committees/Strategy/Agendas/110707-Agenda.pdf</a> Agenda Item 8 for more information), with local authorities and agencies working together to address the key issues facing Gypsies and Travellers in Suffolk and Norfolk. This group recently finalised a Norfolk and Suffolk Gypsy and Traveller Strategy for 2012 – 2014 and this will update the Suffolk Strategy for 2009 – 2011 (added to Core Strategy Library, reference number K08). The group is also overseeing the update to the 2007 GTAA. One of the areas of work that the group focus on is the provision of residential pitches and transit pitches across Suffolk and Norfolk (as set out in the Action Plan accompanying the Strategy and in the business case for transit site provision in Suffolk, added to the Core Strategy Library reference number K20). In addition to this work, the approach in the Core Strategy policy and supporting paragraphs is to work collaboratively with Gypsy and Traveller communities, the Homes and Communities Agency (HCA), the County Council and neighbouring authorities to meet local need for permanent and transit pitches. The Council is proposing a change to the policy to include a reference to working with</td>
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neighbouring authorities to provide transit sites in Suffolk (to view the proposed change to the policy please refer to Appendix 1).

c. **LPAs should plan for sites over a reasonable timescale**  
The Core Strategy plans for a 20 year period and the GTAA update will assess needs for a 15-year period from 2012 to 2026/2027.

d. **Plan-making and decision-taking should protect Green Belt**  
N/A

e. **Promote more private traveller provision while recognising that there will always be those travellers who cannot provide their own sites**  
Detail for subsequent DPDs.

f. **Reduce the number of unauthorised developments/encampments. Increase sites with permission, address under delivery and maintain supply**  
Policy CS14 in the Core Strategy is aimed at reducing the number of unauthorised developments and encampments in the district by providing for the accommodation needs of Gypsies and Travellers in the District. Policy CS14 refers to ‘at an appropriate level’; ‘in suitable locations’ and ‘in accordance with the settlement pattern’.

g. **Include fair, realistic and inclusive policies**  
Policy CS14 in the Core Strategy is considered to be fair, realistic and inclusive. More information is provided in this table and questions 2 and 3 about this.

h. **To reduce tensions between settled and traveller communities**  
Sometimes tensions arise in the district as a result of unauthorised encampments and the policy in the Core Strategy is aimed at addressing the needs of gypsy and traveller communities whilst respecting settled communities and the existing settlement pattern.

i. **Provide suitable accommodation from which travellers can access education, health, welfare and employment infrastructure**  
The NPPF makes it clear that these considerations would apply and Core Strategy Policy CS14 refers to in accordance with the settlement pattern. The policy also refers to ‘mixed use developments’ and Policy CS10 refers to (4th bullet) “ensure an appropriate level of services, facilities and infrastructure are available or provided to serve the proposed development”.

j. **Have due regard to the protection of local amenity and local environment**  
The NPPF makes it clear that these considerations would apply and other the Core Strategy policies such as CS10 which are aimed at protecting the local environment would apply.

### Using Evidence

k. **Early and effective community engagement with both the settled and traveller communities are important.**  
This formed part of the methodology of the 2007 GTAA and the latest GTAA update. The Council is also fully involved and represented on the Suffolk and Norfolk Gypsy Traveller Liaison Service who actively engages with settled and traveller communities about the issues facing Gypsies and Travellers in the County, including their accommodation needs.

l. **Use robust evidence base to establish accommodation needs**  
The 2007 GTAA was commissioned by five authorities in Suffolk County (Mid Suffolk District Council, Babergh District Council, Suffolk Coastal District Council, Waveney District Council and...
Ipswich Borough Council) in June 2006. The study was conducted by a team of researchers from the Salford Housing & Urban Studies Unit (SHUSU) at the University of Salford with research support from members of the local Gypsy and Traveller communities. The study was managed by a steering group composed of officers from the commissioning authorities. Draft practice guidance for local authorities undertaking Gypsy and Traveller Accommodation Assessments was released by the then ODPM in February 2006. The GTAA followed this guidance and it is considered a robust and thorough assessment of needs in the County. The GTAA update is also a joint study and detailed information about the methodology will be provided in the assessment but it followed a similar approach to the 2007 assessment.

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<td><strong>m. Local Plans must contribute to sustainable development and be consistent with NPPF</strong></td>
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<td>The Core Strategy is considered consistent with the NPPF and is aimed at contributing to sustainable development with particular reference to Policy CS0, CS2, CS6, CS10 and CS14.</td>
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<td><strong>n. 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 LPAs.</strong></td>
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<td>Pitch targets are not set out in Policy CS14 but this is considered a justified approach given local circumstances and the supporting evidence to the Core Strategy. This issue is address in more detail in Question 2.</td>
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<td><strong>o. Identify and update annually five years land supply against locally set targets and where possible for years 6-10 and 11-15.</strong></td>
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<td>See Question 2</td>
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<td><strong>p. Consider production of joint plans that set targets on cross-authority basis particularly if planning authority has special or strict planning constraints across its area.</strong></td>
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<td>This is generally not strictly applicable to Babergh as there are no special or strict planning constraints that would apply to the area or neighbouring authorities. BDC will continue to work with neighbouring authorities to provide for the accommodation needs of Gypsies and Travellers.</td>
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<td><strong>q. Relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density.</strong></td>
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<td>It is considered that this is addressed by the reference in Policy CS14 to ‘at an appropriate level’; ‘in suitable locations’ and ‘in accordance with the settlement pattern’. The NPPF and other Core Strategy policies would also apply to ensure that the number of pitches or plots relate to the circumstances of the specific size and the location of the site and the surrounding population's size and density.</td>
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<td>**r. Set criteria to guide land supply allocations where identified need. Where no need, criteria-based policies should be included. These should be fair and facilitate the traditional way of life but Policy CS14 in the Core Strategy contains criteria to guide land supply namely: ‘at an appropriate level’; ‘at suitable locations to meet identified needs’; ‘strategic sites/ mixed use developments’; ‘small sites’; ‘according to settlement pattern and depending on nature of identified need’. Other Core</td>
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respect settled communities.

Strategy policies will also apply and others are expected to be in the Development Management DPD.

**s. Traveller sites should be sustainable economically, socially and environmentally. Criteria 11 a – h in national policy.**

The Core Strategy aims to ensure that development is sustainable and other policies in the Core Strategy such as CS6 and CS10 (4th, 6th and 16th bullet) will apply as well as the NPPF. Policy CS14 in the Core Strategy contains criteria to guide land supply namely: ‘at an appropriate level’; ‘at suitable locations to meet identified needs’; ‘according to settlement pattern and depending on nature of identified need’.

**Sites in Rural Areas and the Countryside**

**t.** The scale of sites in rural or semi-rural setting should not dominate the nearest settled community.

Policy CS14 in the Core Strategy refers to ‘at an appropriate level’; ‘in suitable locations’ and ‘in accordance with the settlement pattern’. The NPPF and other Core Strategy policies would also apply to ensure that the scale of sites does not dominate the nearest settled community.

**Rural Exception Sites**

**u.** If lack of affordable land to meet local traveller needs, LPAs in rural areas consider allocating and releasing sites solely for affordable traveller sites.

This will be dealt with in subsequent DPDs.

**Mixed planning use sites**

**v.** LPAs should consider including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of occupants and neighbours.

This is not precluded by the approach in the Core Strategy and Policy CS14 also refers to ‘mixed use developments’ as one of the preferred approaches to meet Gypsy and Traveller accommodation needs.

**Decision-taking**

**w.** LPAs should strictly limit new traveller sites in open countryside away from settlements. Sites in rural areas should respect the scale of the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

Policy CS1 refers to development in the countryside that would only be permitted in exceptional circumstances. Policy CS10 refers to local infrastructure and Policy CS14 includes reference to the settlement hierarchy. The NPPF and other Core Strategy policies would also apply.

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**Q2 Issue:** Is the approach of not setting pitch targets justified in terms of the evidence base

**Q2. Response**

2.1 The intention to revoke the adopted RS (East of England Plan) has been known for a substantial period of time. It has accordingly been necessary to proceed with the draft Plan on the understanding that such revocation could occur at any current or future point in time and suitable allowance / provisions were made to address this possibility or likelihood.
2.2 The new planning policy for traveller sites was issued in March 2012 and it required authorities to make assessments of their own needs for planning purposes. Babergh together with neighbouring authorities commissioned a Gypsy and Traveller Accommodation Assessment to determine the need for permanent and transit pitches in the district and surrounding districts and this was completed in 2007.

2.3 The 2007 GTAA indicated that there is a need for 1 permanent pitch in Babergh up to 2011. A temporary planning permission was granted for one residential pitch in the district during 2008. Planning permission was granted during early 2013 for this pitch as a permanent residential pitch. Current needs for permanent residential pitches in the district have been met (and five year land supply). The GTAA is currently being updated and it was therefore not possible to include permanent residential pitch targets in the Babergh Core Strategy as this information/ evidence is not available yet. Initial feedback from the consultants responsible for updating the GTAA confirms that the situation regarding permanent Gypsy and Traveller accommodation needs in the District have not changed significantly since the 2007 GTAA and that needs are likely to remain very low.

2.4 The 2007 GTAA indicated that there is a need for 5 transit sites in Suffolk (with 8-12 pitches) each between 2007 and 2011. No transit sites have been provided in the County to date but work is progressing to bring sites forward across the County. This provision may or may not be in Babergh and this is yet to be determined and agreed. This process is managed by the Gypsy Traveller Liaison Service for Norfolk and Suffolk. As indicated earlier in this statement the Liaison Service has recently finalised a Gypsy and Traveller Strategy and associated Action Plan. One of the key actions in the Action Plan is to provide for a network of transit pitches across Norfolk and Suffolk by September 2014. Initial feedback from the consultants responsible for updating the GTAA (and the number of unauthorised encampments in the County) suggests that the need for transit pitches in Suffolk may be slightly lower than estimated in the 2007 GTAA. In recognition of the need for transit pitches across Suffolk the Council are proposing to amend the policy to state the Council will continue to work with neighbouring authorities to meet identified needs for transit pitches (please see Appendix 1 for amendments proposed).

2.5 Given the situation where current identified/ confirmed needs for permanent residential pitches in the District have been met, the likelihood that the GTAA update (currently underway) will identify a need for permanent residential pitches over the next fifteen years in the District (although likely to be very low) and the Council working with neighbouring authorities to provide for transit pitches in Suffolk, the Council is not in a position to include pitch targets in the Core Strategy. However the approach in the Core Strategy is seen as an appropriate and positive one aimed at addressing the accommodation needs of Gypsies and Travellers and setting out a preferred approach to meeting these needs. The Council considers that its local circumstances, with a very low need for permanent residential pitches and the Council working with neighbouring authorities to meet transit needs, indicate that the most appropriate vehicle(s) for planning this would be subsequent more detailed and specific elements of an overall new Local Plan. The Council believes that the approach in the Core Strategy is justified and appropriate in terms of the evidence base.
Q3 Issue: Will the approach in the Core Strategy result in the adequate provision of additional pitches for travellers, or are there so many hurdles to overcome that the policy will act to prevent development?

Q3. Response

3.1 The approach in the Core Strategy is considered flexible and varied, aimed at addressing the accommodation needs for Gypsies and Travellers in the district if they arise and not to prevent the provision of permanent or transit pitches in the district.

3.2 Policy CS14 in the Core Strategy identifies different ways of addressing the accommodation needs for Gypsies and Travellers in the district (referred to as ‘the preferred approach to meet needs’). The potential of strategic sites to provide additional pitches for travellers if these needs arise are recognised. This is particularly relevant given the fact that the strategic sites in the Core Strategy are situated at Sudbury/ Great Cornard, Hadleigh and the Ipswich Fringe and that unauthorised encampments in the district have mostly occurred around Sudbury/ Great Cornard and some around the Ipswich Fringe. This approach in the Core Strategy could potentially correspond very well with potential needs.

3.3 There is also a possibility of smaller sites coming forward at the larger towns and smaller villages since land is available and suitable for development in these locations. The Core Strategy makes provision for meeting needs though small sites according to the settlement pattern and depending on the identified need. This approach recognises results from the 2007 GTAA that suggested that most of the Gypsies and Travellers interviewed preferred small sites and this has been confirmed by anecdotal evidence from the Gypsy Traveller Liaison Service for Norfolk and Suffolk.

3.4 The policy refers to preferred approach and also includes reference to in accordance with “the settlement pattern and depending on the nature of identified need”, leaving room for cases where this would not apply.

3.5 Policy CS14 also refers to the importance of Policies CS1 and CS10 when considering the accommodation needs of Gypsies and Travellers. Policy CS1 sets out the settlement hierarchy and refers to development in the countryside that should be restricted. Policy CS10 is aimed at promoting sustainable development in the district and refers to criteria such as local environment, protecting or creating jobs, services and facilities, deprivation, climate change, promoting healthy living and the presumption of favour of sustainable development. Policy CS10 includes a specific reference to ‘consider the aspirations and level and range of support required to address deprivation…’. Gypsies and Travellers are amongst the most deprived social groups in the Country and this bullet point could apply to any Gypsy and Traveller site applications or allocations. Policy CS10 also refers to the fact that not necessarily all the criteria would apply, it depends on the scale and nature of a particular proposal. These policies comply with the NPPF. In conclusion it is not believed that the approach or criteria in the Core Strategy would prohibit the provision of Gypsy and Traveller sites.
Appendix 1: Amended wording proposed to policy.

Policy CS14: Mix and Types of Dwellings

Residential development that provide for the needs of the District’s population, particularly the needs of older people will be supported where such local needs exist, and at a scale appropriate to the size of the development.

Development on strategic housing sites or mixed use developments with a substantial residential element will be required to make provision for the accommodation needs of vulnerable or identified groups of people, as reflected in established local needs assessments.

New pitches/plots will be provided at an appropriate level and in suitable locations to meet the identified needs of Gypsies and Travellers in the district if these arise. The preferred approach to meeting identified needs is to be through strategic housing sites or mixed use developments or through small sites according to the settlement pattern and depending upon the nature of identified need. The Council will continue to work on cross-boundary matters with neighbouring authorities to meet identified needs for transit site pitches. Proposals will be assessed against the policies of this Local Plan (particularly Policies CS1 and CS10) and relevant policies of subsequent DPD(s).

Note: New text proposed shown in underlined text