Suffolk Coastal Local Plan Examination

Hearing Day 2

Matter 2B

Note on options for provision for Gypsies and Travellers

1. This note responds to the action arising during the hearing session on Matter 2B (Wednesday 21st August, AM) whereby the Inspector has asked for a note which sets out options, that could be pursued through modifications to the Local Plan, for providing greater certainty that the accommodation needs of Gypsies and Travellers will be met, in relation to permanent pitches.

2. The Gypsy, Traveller, Travelling Showpeople and Boat Dwellers Accommodation Needs Assessment (ANA) (Document D17) sets out needs for permanent Gypsy and Traveller pitches as follows:

<table>
<thead>
<tr>
<th></th>
<th>Existing provision (2016)</th>
<th>Additional need 2016 - 2021</th>
<th>Additional need 2021 - 2026</th>
<th>Additional need 2026 - 2031</th>
<th>Additional need 2031 - 2036</th>
<th>Total additional need 2016 - 2036</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent pitches</td>
<td>0</td>
<td>12</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>15</td>
</tr>
</tbody>
</table>

3. Policy SCLP5.17 of the Final Draft Local Plan, and the accompanying supporting text, (Document A1, pages 106-107) explains the needs for Gypsy and Traveller Accommodation over the Local Plan period and sets out a policy which would support the provision of accommodation subject to a number of criteria being met.

4. The Inspector asked, in his early set of questions issued on 20th May 2019 (Document H2), for clarification around the position of the Local Plan in not providing site allocations to meet needs for Gypsies and Travellers, and asked the Council to consider potential modifications that could be made to the Plan in order to advance matters during the Examination. The Council responded (Document H4, pages 8-16) by setting out the needs for permanent pitches for Gypsies and Travellers, Plots for Travelling Showpeople and short stay stopping sites, and setting out modifications to the Local Plan which would set out the aim of meeting these needs within the policy text itself. The response clarifies (Document H4, page 10) that the need for permanent pitches identified in the Accommodation Needs Assessment (Document D17) relates to the population of New Travellers, who reside on two long term unauthorised sites totalling 10 pitches and that this in itself represents the need for 10 of the 15 permanent pitches required over the Plan period.
5. The response set out a number of modifications to Policy SCLP5.17, including that the Council will support the provision of permanent sites for Gypsies and Travellers to meet the needs identified in the 2017 Accommodation Needs Assessment for 15 pitches.

6. The Inspector has subsequently asked, in his Initial Matters, Issues and Questions issued on 24th June 2019, whether “having regard to the ANA and the Council’s response to my initial questions, should the Plan set targets for the provision of pitches, plots and /or moorings? What is the present position in respect of the planning status of unauthorised New Traveller sites which are indicated to be a significant component of the identified need in the Council’s response to my initial questions?” (Question 2.11). The Council provided a response in its Matter 2B hearing statement (pages 4-7) which set out the modifications which had been presented in the Council’s earlier response (Document H4) and further explained that in relation to unauthorised New Traveller sites, the Council could look to regularise the planning position should there be sufficient evidence to demonstrate that lawful use has been established on the sites but that there has not been a need to progress this to date with the occupants of the sites (paragraphs 17 and 18, page 7).

7. Question 2.12 of the Inspector’s Initial Matters, Issues and Questions asked “To be positively prepared, is it necessary for the Plan to make provision for the identified need for additional pitches and/or plots through a site allocation(s)?”. The Council’s response set out in its Matter 2B Statement (pages 7-9) explains that, in relation to provision for permanent pitches, due to the nature of the need there may be more appropriate options available to the Council than allocating a site elsewhere. Paragraph 21 of the Council’s response explains that through the Council’s Housing service it is able to provide support to occupants of the unauthorised sites to secure future occupation, and that policy SCLP5.17 provides a framework for the consideration of any potential planning application.

8. The Council consider that the allocation of new sites for permanent pitches would be unsuitable. An allocation would not meet the need identified when considering the circumstances of the existing sites and the occupants, for the reasons set out in the Council’s response to Question 2.12 in the Matter 2B Statement. This is consistent with Paragraph 4, criterion g, of the Planning Policy for Traveller Sites (Document H15) which states that one of the Government’s aims in respect of travellers sites is for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies.

9. The options available to the Council are therefore related to the extent to which planning policies would support the continued occupation of the existing sites, alongside the role of the Council’s Housing service in providing assistance and support to the occupants.

10. The Accommodation Needs Assessment (Document D17, paragraph 5.28) refers to the population of New Travellers residing on two long established unauthorised sites. As stated in response to Question 2.11 (Matter 2B Statement, paragraph 17) the Council’s Private Sector Housing service regularly visits the sites to undertake its half yearly caravan counts and the Council therefore has an understanding of the ongoing circumstances in relation to each site. To date, whilst the Council is
aware that the occupancy of these sites is unauthorised, overall the occupancy is not presenting any
issues that has led the Council to consider that any intervention through the Council’s Housing
Service or Planning Service is necessary. In this respect, the provision is consistent with the
requirements of paragraph 13 of the Planning Policy for Traveller Sites (Document H15) which states
that local planning authorities should ensure that their policies “a) promote peaceful and integrated
co-existence between the site and the local community”.

11. From undertaking the Accommodation Needs Assessment, RRR Consultancy consider that one of the
sites would have sufficient space to meet the full need for 15 pitches over the plan period, should
this be required. The Council is therefore confident that, should the planning position be regularised
on this site, the needs for the Plan period could be met. The other site is considered to cater for
needs that are more transient in nature, and through the half yearly caravan counts this is
understood to have become even more so since the ANA was carried out.

12. Paragraph 4, criterion f, of Planning Policy for Traveller Sites (Document H15) states that plan-
making and decision taking should aim to reduce the number of unauthorised developments and
campments and make enforcement more effective. To respond to this, the Council can look to
open up discussions with the landowner of one of the sites which is capable of meeting the needs
with a view to investigating with the landowner and occupants the options for regularising the use of
the site. As referred to in the Council’s response to Question 2.12 (Matter 2B Statement, paragraph
21) it may be that lawful use has been established in which case the Council would be able to
provide assistance through its Housing service to secure future occupation in this respect. Whilst this
action itself is outside of the influence of Policy SCLP5.17, additional text could be included within
the supporting text to the policy to set out this commitment. This provides the Council with the
necessary time to engage in a sensitive and positive manner with the relevant partners, which an
approach looking at allocating sites at this stage (regardless of the issues identified with the principle
of allocating sites) would not provide.

13. Reflecting paragraph 4, criterion f, of Planning Policy for Traveller Sites (Document H15) and the
commitment to progressing discussions with the landowner, it is considered that Policy SCLP5.17
could include reference to addressing unauthorised developments as a criterion within the policy
which would therefore be applied in decision taking where planning permission is required. This
would provide an additional consideration that would give weight to supporting the regularisation of
the existing sites, consistent with the Government’s aim of looking to reduce unauthorised
developments through decision taking.

14. Whilst the measures above are considered to take forward the present situation in a way which
addresses the policy aims in Planning Policy for Traveller Sites, the Council also considers that the
position should be closely monitored to ensure that needs are being appropriately met. The Policy
Delivery Framework in Appendix A of the Final Draft Local Plan (Document A1, page 420) identifies
the implementation mechanism for Policy SCLP5.17 as being the determination of planning
applications, a risk being that planning applications may not come forward for Gypsy and Traveller
sites and the associated mitigation being that a review of the policy approach would be considered as part of a review of the Local Plan. However, in light of the suggestions in the above paragraphs it is considered that the implementation mechanisms could be expanded upon to also refer to the role of the Council’s Housing service in working with landowners and occupants to identify options to address unauthorised development.

15. It is considered that, collectively, the options set out above would ensure that Policy SCLP5.17 is consistent with the Planning Policy for Traveller Sites in respect of addressing the unauthorised development and in taking a positive and proactive approach in ensuring there is a supply of Gypsy and Traveller Sites to meet identified needs. Specific modifications are shown at the end of this note, alongside modifications already put forward in the Council’s Matter 2B Statement.

Potential modifications

16. Potential modifications to SCLP5.17 are set out below. Modifications proposed through the Council’s Matter 2B Statement are shown in underline (for additions) and strikethrough (for deletions), further modifications proposed through this note are shown in highlighted underline.

Paragraph 5.90:

“The Gypsy, Traveller, Travelling Showpeople and Boat Dwellers Accommodation Needs Assessment for Babergh, Ipswich, Mid Suffolk, Suffolk Coastal and Waveney (2017) identifies Suffolk Coastal as ‘unique’ in the eastern region in that it has a relatively stable population of New Age Travellers and concludes that there is a need for 15 permanent Gypsy and Traveller pitches over the period 2016 – 2036. The Accommodation Needs Assessment also concludes that there is a need for 2 to 3 short stay stopping sites across the study area. This need relates largely to the unauthorised nature of sites on which the existing population of New Travellers reside. The need over the period 2016 – 2036 is set out below.

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The Accommodation Needs Assessment identified that the need for 10 of the 15 pitches relates to existing developments being unauthorised. National Planning policy for Traveller Sites sets out the Government’s aim to reduce the number of unauthorised developments. In this respect, the Council will engage with the relevant landowners and occupants with a view to establishing a way in which appropriate use of the site can be regularised.

Policy SCLP5.17:

“The Council will support the provision of permanent sites for Gypsies and Travellers and Travelling Showpeople, to meet the needs identified through the 2017 Accommodation Needs Assessment as set out below:
a) **Provision of 15 pitches to meet the needs for permanent accommodation for Gypsies and Travellers;**

b) **Provision of 2 plots to meet the needs for Travelling Showpeople.**

The Council will work with other Councils across Suffolk to deliver identified needs for short stay stopping sites, including the delivery of one short stay stopping site within East Suffolk.

Sites for Gypsies and Travellers and Travelling Showpeople will be permitted where:

a) The proposed occupants meet the definition of ‘Gypsies and Travellers’ or ‘Travelling showpeople’ as set out in ‘Planning Policy for Traveller Sites’ (2015) (or subsequent revisions);

b) The site is within, adjacent to or well related to a Major Centre, Town, Large Village or Small Village. Where the requirement for a site is linked to the education or health needs of the occupants the site must be well related to locations where these services are provided;

c) The site is capable of being provided with mains water and adequate sewage/waste disposal provision (including the storage of waste prior to disposal);

d) The site is acceptable in terms of highway safety;

e) The site is designed so as to minimise visual impact on the surrounding area and landscape character, and does not dominate the nearest settled community;

f) The site is not located in flood zone 2 or flood zone 3;

g) Any industrial, retail, commercial, or commercial storage activities to take place on the site must be ancillary to the primary use of the site for residential purposes and must not harm the amenity of occupants of the site or surrounding areas;

h) The scale and range of uses proposed within the site are acceptable in terms of their impact on any existing neighbouring uses; and

i) Where it is intended that a site should be self managed by the occupants, the capacity of the site should not normally exceed 8 pitches.

The Council will work with relevant parties with the aim of reducing the number of unauthorised permanent pitches. Where proposals would contribute towards reducing the number of unauthorised pitches, this will be a factor in decision taking.

Where the proposal is for a Travelling Showpersons site (or extension to an existing site) sufficient space for storage of vehicles and equipment will be provided.

Neighbourhood Plans may allocate sites for Gypsy and Traveller use.”
Policy Delivery Framework:

Row related to SCLP5.17 and column related to Implementation Mechanism:

“Determination of Planning Applications. Identification of ways in which the unauthorised nature of developments can be addressed.”

17. The Council will include this revised wording in the schedule of modifications that is being collated as part of the Examination.