

PSM12

**South Gloucestershire
Core Strategy
Examination**

**Position Statement
for
Matter 12:
Gypsy & Traveller Provision**

May 2012

Matter 12 – Gypsy & Traveller Provision

Q1 Is there sufficient recent evidence to determine the likely level of need for Traveller provision in the South Gloucestershire area?

Council response – Yes. There is sufficient recent evidence as demonstrated by the Direction served by Government in 2006 (which remains outstanding) 2007 West of England Gypsy & Traveller Accommodation Assessment (GTAA) (Examination Library Ref: EB12, and through appeal decisions where the level of outstanding need is cited as a material consideration of some considerable weight.

- 1.1 In August 2006 the (previous Labour) Government served a Direction on South Gloucestershire requiring the Council to amend its Local Development Scheme to include a Gypsy & Traveller Development Plan Document (DPD). The Direction was explicit in stating that there was a clear and immediate need to bring forward this document as evidenced by the continuing presence of significant numbers of caravans on unauthorised encampments over an extended period of time. Despite the present Coalition Government coming to power, this Direction has not been lifted and it remains in force. This is considered to be a material consideration of some considerable weight which continues to give much relevance to the Direction.
- 1.2 The 2007 West of England Gypsy & Traveller Accommodation Assessment (GTAA) (Examination Library Ref: EB12) forms a robust evidence base for the purposes of establishing the strategic policy framework for Gypsy and Traveller pitch provision in the Core Strategy. The GTAA is a sound document, prepared by suitably qualified consultants to an agreed methodology. It has been formally agreed by Council resolution of October 2009 and was accepted at a Regional level through the Inspector's Report of the Regional Spatial Strategy 'Partial Review' of Gypsy and Traveller pitches in the South West of England. Overall it set a total need of 80 residential pitches and 25 transit to be delivered in South Gloucestershire from 2007. A number of pitches have been granted permission in the district since the GTAA was published, therefore as of April 2012 the outstanding need is for 62 residential and 21 transit pitches.
- 1.3 As the GTAA calculates pitch requirements between 2006 and 2016 the Council accepts that the evidence base that sets out need for traveller pitches will need to be updated during the Core Strategy's plan period. However, significant difference between future need and that identified in the 2007 GTAA is not foreseen. This is with the exception of the assumption in the 2007 GTAA of a 3% per annum household growth rate, which the Council considers to be inflated.
- 1.4 The Council believes this inflation was due to particular and unique circumstances of setting up of the Bristol City Council transit site close to the South Gloucestershire boundary at Avonmouth and the closure of a large previously tolerated unauthorised encampment at Aust. The GTAA may not have fully taken the opening of the new site and closure of the unauthorised encampment into account. This would have resulted in the GTAA drawing on an outdated baseline count of families present on unauthorised sites, which would have remained high during the transitional period of families moving from to the new site.

- 1.5 This view is given further weight as since 2007 the number of unauthorised encampments in South Gloucestershire has stabilised to around 50 encampments in total per annum. This represents as few as one or two families at any one time, with the majority staying for a maximum period of up to a week.
- 1.6 Recent appeal decisions confirm that there is an outstanding level of unmet need in the district and that the GTAA is a material consideration of significant weight - see para 16 of APP/P0119/A/11/2148394 – Bluebell Stables, Old Sodbury, June 2011, (Examination Library ref: EB6/2) and para 16 of APP/P0119/A/10/2141502 – The Meadows, Pucklechurch, June 2011, Examination Library ref: EB6/3), as two recent examples.
- 1.7 For the reasons set out above the Council therefore considers there is sufficient recent evidence to determine the likely level of need for Traveller provision in the South Gloucestershire area.

Q2 Can adequate provision for traveller sites be provided without compromising Green Belt locations?

Council response – No – to an extent given the high level of need and limited availability of unconstrained locations, it highly likely that Green Belt locations will need to be considered. However, the impact on Green Belt can be managed as far as possible as long as the policy provisions which establish the strategy for Gypsy and Traveller sites as set out at Policy CS21 are fully complied with. If this is not forthcoming, for whatever reason, the alternative would be to put significant and disproportionate pressure for new traveller sites on the Green Belt and open countryside compromising the Green Belt and open countryside.

- 2.1 As identified at paragraph 1.1 above, following the Direction served in 2006 the approach to undertaking the Council's search for potential Gypsy and Traveller sites was then established through the Gypsy & Traveller DPD. In January 2008 the Council published the Issues and Options consultation document (Examination Library ref: EB9). This was followed by the Towards Preferred Options document (EB6) consultation in November 2008 to January 2009.
- 2.2 As a result of the publishing of the Localism Bill in December 2010, which made the Government's intentions to devolve power to the local level clear, progress with the Gypsy & Traveller DPD was halted. This was confirmed when the 2010 LDS was updated (Examination Library Ref: EB1). The Council is aware that the 2006 Direction has not to date been formally removed, and therefore it continues to form a significant material consideration in confirming the need to provide Traveller pitches in the district. With Government policy now guiding authorities to prepare a reduced number of DPDs as well as the enactment of the Localism Act and the intended revocation of the Regional Strategy, provision of Gypsy/Traveller accommodation is now being taken forward through the Core Strategy at Policy CS21 which transposes the overall strategy and approach as set out formally in the G&T DPD.
- 2.3 **Approach to searching for sites.** The locational strategy of Gypsy and Traveller pitch identification was developed as part of the iterative process of preparing the initial stages of the Gypsy & Traveller DPD. Through the Issues and Options and Towards Preferred Options stages of that DPD, an approach was developed that sought to direct additional sites/pitches to locations that are least constrained in planning terms

based on a hierarchy of zones approach. The Council considers this approach to be robust and the most appropriate strategy for meeting need/ site provision.

- 2.4 This approach identified the principle area of search, i.e. the least constrained area in planning terms, as Zone A (see Diagram 1 below). This zone is a rural area of South Gloucestershire that lies outside of the Green Belt and any significant flood risk.
- 2.5 Following no objections to this methodology received during the Issues and Options stage, the Towards Preferred Options document confirmed the concept of dividing South Gloucestershire into seven zones of search (Diagram 1 below) and the hierarchy of the zones of search, with the least environmentally constrained zones identified as the most suitable for locating future Gypsy and Traveller sites (Diagram 2 below).
- 2.6 As Diagram 1 clearly shows, South Gloucestershire is heavily constrained with large areas of AONB (22% of the District), Green Belt land (43% of the District) and areas of high flood risk (18% of the District).
- 2.7 Following the Issues & Options consultation in 2008 the Council commissioned consultants to undertake a search assessment of potential land available for Gypsy/Traveller use in Zone A; the least constrained zone (Examination Library ref: EB6/1). The report at the time identified a single site – land at Meads Farm, Wickwar, which was potentially suitable for Gypsy/Traveller use. However the landowner was subsequently unwilling for the site to be used for traveller pitches. Notwithstanding this, since 2006 five additional pitches have been approved through new site provision within Zone A. This reinforces the findings of the consultant's report which advocated a comprehensive approach to searching for available land for Gypsy/Traveller sites which seeks to minimise the use of Green Belt or other highly constrained locations (flooding and AONB).
- 2.8 The Council considers that the zones of search is an effective locational approach to identifying new sites. This methodology has therefore been applied to the approach in the Core Strategy. Notwithstanding this, through the outcomes of the assessment of the zones it also demonstrates that firstly, limited land is available in Zone A and that secondly, not all the high level of outstanding need will be met from this area of the District alone. Therefore, if encroachment of Green Belt and open countryside is to be limited, as required by the Planning Policy for Traveller Sites (PPTS), a broader strategy that includes other land sources is inevitably going to be needed, if a comprehensive and strategic approach to meeting G&T site provision is to be delivered. This effectively underpins the 4 plank approach set out in Policy CS21. This is explained in more detail below.

Diagram 1:

South Gloucestershire Proposed Zones of Search

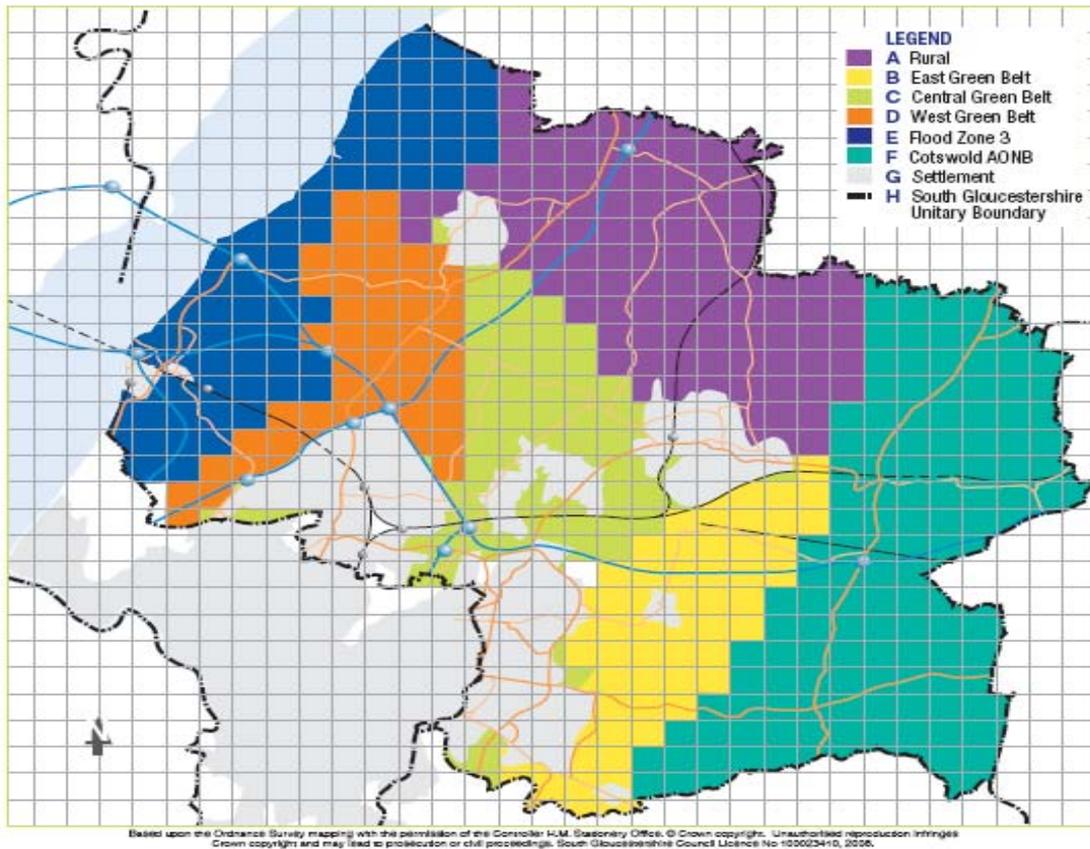


Diagram 1 - Hierarchy of Zones of Search

1. Zone A (Rural) 
2. Zone G (Settlements) 
3. Zone D (West Green Belt) 
4. Zone B (East Green Belt) 
5. Zone C (Central Green Belt) 
6. Zone F (Cotswolds AONB) 
7. Zone E (Severn levels) (specifically Flood Zone 3 land) 

The Core Strategy's approach to meeting identified need

- 2.9 Policy CS21 provides the strategic framework to deliver Gypsy/Traveller pitches in South Gloucestershire. This draws upon and continues the overall approach began in the Gypsy & Traveller DPD. The approach comprises four elements:
1. Safeguarding existing Gypsy/Traveller sites
 2. Providing more pitches on suitable, existing Gypsy and Traveller sites
 3. Providing pitches post 2016 within the new neighbourhoods
 4. Policies, Sites & Places Development Plan Document and windfall applications

Each of these elements is described below.

1. Safeguarding existing Gypsy/Traveller sites

- 2.10 Policy H12 of the South Gloucestershire Local Plan safeguards existing sites. The Core Strategy continues this approach and now lists those Gypsy/Traveller sites to be safeguarded at Policy CS21 until such time as it can be proven there is no longer an outstanding need for such sites.
- 2.11 Authorised land includes existing Gypsy and Traveller sites which benefit from a permanent or temporary planning permission. In the context of high level of need and genuine limited site availability (in the short term at least), the Council considers the term 'safeguarded' to mean that existing, authorised land for the accommodation of Gypsies and Travellers will be retained until such time as it can be proved there is no longer a need. In the case of sites with temporary planning permission, the site will be safeguarded until such time as the existing permission expires and safeguarding status will no longer apply.
- 2.12 South Gloucestershire clearly has a demonstrable need for Gypsy/Traveller accommodation as proven by the 2007 GTAA and this continues to remain a material consideration of significant weight (see the Council's response to Question 1 above). To give up existing sites will compound the existing shortfall and make the challenge of finding new sites more difficult. Removing sites would undermine the aim of the Council to address the recognised lack of Gypsy/Traveller provision and fulfil the objective of Policy H12 of the adopted South Gloucestershire Local Plan, as well as Policy CS21 of the Core Strategy that seeks to safeguard existing, authorised land for accommodation by Gypsies and Travellers. These reasons underpin the purpose of site safeguarding.
- 2.13 Some of the sites proposed to be safeguarded are located in the Green Belt. It is considered that the demonstrable unmet need for traveller sites in the district can form a key part of the very special circumstances required for allowing inappropriate development such as traveller sites in the Green Belt. In addition, given that Traveller sites are normally small in scale and that the Council works with families to ensure that their sites have effective boundary and landscape treatments, any impact on openness of the Green Belt is generally minimal in its extent and degree.
- 2.14 Notwithstanding this, Policy E of the Government's Planning Policy for Traveller Sites (PPTS) – Traveller Sites in the Green Belt – confirms that Traveller sites are inappropriate development in the Green Belt. The Policy states that "*If a local planning authority wishes to make an exceptional limited alteration to the defined*

Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only.”

- 2.15 Having considered the above, the Council does not propose to alter the Green Belt with regard to existing safeguarded sites where these are currently ‘washed over’ by Green Belt. It is considered that Policy E of the PPTS is more focused towards larger sites that would considerably impact on the Green Belt’s openness. In South Gloucestershire, the sites that are proposed to be safeguarded under Policy CS21 are generally small in scale (one or two pitches), thus impacting upon openness to only minimal degrees. In addition, the Council considers that it would not be appropriate to effectively place what could be termed as ‘pin-holes’ in the Green Belt.
- 2.16 Should proposals come forward for intensification of existing sites in the Green Belt then these would be assessed using the same approach as for proposals for residential development in washed over settlements with a settlement boundary. Other proposals for Traveller pitches (e.g. new sites) coming forward in the Green Belt would be required to demonstrate very special circumstances in accordance with paragraphs 87 and 88 of the NPPF.

2. Providing more pitches on existing Gypsy and Traveller sites

- 2.17 The Gypsy & Traveller Sites DPD ‘Issues and Options’ considered that on some existing private sites there was room to add additional pitches to accommodate growing family need, without altering existing, site boundaries. This was accepted as an appropriate strategy of meeting a proportion of the identified shortfall in accommodation.
- 2.18 Through working with Gypsy/Traveller families on existing sites, it was considered at the ‘Towards Preferred Options’ stage of the G&T DPD that this could potentially generate an estimated 22 residential and 8 transit pitches (Examination Library Ref: EB6, on existing sites 1-8, pages 34-37). As a result, a considerable proportion (but clearly not all) of the required residential need in South Gloucestershire is being accommodated through existing Gypsy and Traveller sites, consequently reducing the number of new sites required to be provided for from other new locations in the area.
- 2.19 This proportion of need, identified by the GTAA as ‘family growth’ met with the expressed wishes of the Gypsy/Traveller community. Since 2007, the Council’s track record in delivery of additional, family pitches has been good, with 13 residential pitches and 4 transit pitches having been granted planning permission.
- 2.20 As of May 2012, it is anticipated that a further 14 residential and 5 transit pitches could be provided on existing, family sites in the area. This results in a total expected provision of 27 residential and 9 transit pitches from this source of supply.
- 2.21 As outlined in para 2.13 above, as with safeguarded sites given that Traveller sites are normally small in scale and that the Council works with families to ensure that their sites are effectively screened and landscaped, the impact of new pitches on Green Belt is normally minimal in any case. The Council will continue to work with families to ensure that any intensification of existing sites is undertaken in an appropriate fashion that is sensitive to the surrounding landscape and any Green Belt designation.

2.22 Recent appeal decision APP/P0119/A/10/2141502 (paragraphs 10, 11 and 30) (Examination Library ref: EB6/3) demonstrates that Gypsy sites in the Green Belt can have low levels of impact on openness and landscape character if they are appropriately located and well screened. The Council also has a proven track record of ensuring that sites granted consent are well screened which is demonstrated in conditions 4 and 7 attached to decision PK08/2020/F to allow the development of four pitches in Pucklechurch (Examination Library ref: EB6/4).

3. Providing pitches post 2016 within the new neighbourhoods

2.23 Paragraph 10.15 of the Core Strategy 'Issues and Options' document (Examination Library ref: SD16) published for consultation in May 2008, set out the Council's longer term strategic approach for meeting the housing needs of Gypsies and Travellers. This indicated that major strategic development sites would be expected to make provision within their overall master planning, for Gypsy and Traveller requirements as part of mixed and balanced communities. The Council has been quite clear and open about this for over four years – a period covering the preparation of the Core Strategy.

2.24 Post 2011, the GTAA stated that there was a need for a further 22 permanent residential pitches. South Gloucestershire's strategy for meeting this outstanding level of need is through delivery of the New Neighbourhoods. The approach to incorporating new sites in the New Neighbourhoods will be taken forward with site specific proposals in master planning work.

2.25 The Council is aware of concerns from developers about this approach. However, all New Neighbourhoods will be expected to address the housing needs of Gypsies and Travellers as part of achieving mixed and balanced communities. Moreover, the principle of seeking to make such sites part of the New Neighbourhoods is consistent with the thrust of national advice for creating mixed and balanced communities and integrating the accommodation needs of Gypsies and Travellers with mainstream planning. Collectively the 3 new neighbourhoods of Cribbs/Patchway, East of Harry Stoke and North Yate cover an area of 771 hectares and will deliver 10,400 dwellings. This is over 45 percent of the total housing provision from 2012 to 2026/27. Therefore to set these strategic areas aside from any contribution towards G&T sites, given the challenges the Council faces in meeting the needs of this section of our community, is completely at odds with the thrust of both the Core Strategy and Government policy.

2.26 The approach of providing new traveller pitches in the New Neighbourhoods is also underpinned by the requirement in the NPPF and Planning Policy for Traveller Sites (PPTS) to protect the open countryside and Green Belt from unsustainable and inappropriate development. Failure to utilise land through the development of the new neighbourhoods will compound the problem onto more sensitive sites, for example, those in Green Belt areas. In this respect, the Core Strategy's approach fully complies with the aims set out at paragraph 4 of the PPTS, including: (*inter alia*) meeting identified need to reduce unauthorised encampments and to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure. We consider this to be so as the proposed New Neighbourhoods are in sustainable locations and will provide infrastructure that allows new residents, including Gypsies and Travellers, to have access to services and facilities. Policy B of the PPTS also requires LPAs to plan for new traveller sites in a way that will increase integration between the traveller and settled communities. Planning for Gypsy/Traveller site provision at the strategic policy level in the Core

Strategy will ensure that integration can be maximised in the New Neighbourhoods.

- 2.27 Therefore it is appropriate and right that the three new neighbourhoods of Cribbs/ Patchway (CPNN) East of Harry Stoke (EOHS) and North Yate(NY) contribute to G&T provision proportionately. Through new site provision, it is anticipated that between 24 and 32 residential pitches could be provided as part of delivering the new neighbourhoods. This equates to 8 –10 pitches distributed appropriately per neighbourhood.

4. Policies, Sites & Places Development Plan Document and Windfall Applications

- 2.28 The Policies, Sites & Places DPD will take forward work to meet the remaining identified need for Travellers sites. This will involve further site searches and assessment. However, the Council does not consider reliance on this means alone would be appropriate for the reasons set out above.
- 2.29 It is anticipated that a small proportion of pitches/sites will continue to be met through the submission of windfall applications received by the local planning authority. In determining planning applications for windfall sites, if those sites lie within the Green Belt then the applicant would be required to demonstrate very special circumstances in order for consent to be granted. This is consistent with Policy H of the NPPF – Determining Planning Applications for Traveller Sites.

Conclusion

- 2.30 The Council has demonstrated a clear, thorough and systematic approach for searching for traveller sites to meet identified need. The assessments undertaken confirm that South Gloucestershire is heavily constrained; therefore the development strategy has taken a pragmatic approach in meeting identified need. The Council has undertaken a thorough, open and comprehensive search for available land that as evidenced by the G&T DPD has involved both public and private land.
- 2.31 A number of the sites proposed to be safeguarded in Policy CS21 are located in the Green Belt. The Council recognises that such a strategy does not fully protect the Green Belt, however the strategy does protect the Green Belt from new sites coming forward. This protection from further sites occurring in the Green Belt, or other unsustainable locations, can only be achieved if the development strategy, which includes the intensification of existing sites and the provision of new sites within the New Neighbourhoods, is taken forward and implemented.

Q3 Is policy provision consistent with the requirements of the Planning Framework to identify a 5 year supply of deliverable sites against locally set targets and further sites or broad locations in the longer term?

Council response

- 3.1 Policy B of the Government's Planning Policy for Traveller Sites (PPTS) states that Local Plans should:
- identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets

- identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15

- 3.2 The 2007 West of England Gypsy & Traveller Accommodation Assessment (GTAA) set a total need of 80 residential pitches and 25 transit to be delivered in South Gloucestershire from 2007.
- 3.3 A number of pitches have already been granted permission in the district, therefore as of April 2012 the outstanding need is for 62 residential and 21 transit pitches.
- 3.4 The table below sets out the Council's preferred approach to meeting the identified need, given the constraints on supply, within the time periods specified in Policy B of the PPTS.

Years	Method	Quantum	Outstanding need (62 R 21 T)
2012 to 2017	Intensification of existing sites where appropriate.	14 residential and 5 transit pitches	48 R 16 T
2017 to 2022	New neighbourhoods (max 8-10 pitches per neighbourhood area)	32 residential pitches	16 R 16 T
2022 to 2027	Policies, Sites and Places DPD allocations. Windfall applications.	Remaining need (16 residential and 16 transit).	0

R = Residential T = Transit

- 3.5 The development strategy for pitch delivery is based on a pragmatic approach that fully takes into account the identified need for new pitches while balancing this realistic timescale for their delivery.
- 3.6 The requirement set out in Policy B of the PPTS is a new requirement that has been introduced nationally at a time when the Core Strategy is at an advanced stage of preparation. In planning for meeting Policy B's requirements, the Council has to balance the need to demonstrate the programme of supply with the reality of the programme of pitch delivery set out in Policy CS21's approach (set out in the Council's response to Question 2 above).

Q4 Does the Council's approach to provision otherwise accord with the requirements set out in the Planning Framework?

Council response

- 4.1 On 26 March 2012 CLG published the Planning Policy for Traveller Sites document, herein referred to as the PPTS. This document replaces Circular 01/2006: Planning for Gypsy and Traveller Caravan Sites and Circular 04/2007: Planning for Travelling Showpeople. It is published following consultation by the Government on draft guidance 'Planning for traveller sites' from April 2011. As with the NPPF, the PPTS represents a condensing of former guidance into a single, shorter policy document.

- 4.2 Paragraph 4 and Policies A and B of the PPTS are particularly relevant to the production of the Core Strategy and other Development Plan Documents. In summary, these require the Core Strategy to:
- Set targets for Gypsy/Traveller site provision using a robust evidence base.
 - Seek to increase the number of authorised sites in appropriate locations to meet identified need.
 - Involve local communities and the Gypsy/Traveller community in planning for new sites.
 - Allocate sites in sustainable locations.
 - Protect the Green Belt and open countryside.
 - Promote more private traveller site provision.
 - Reducing unauthorised developments and encampments.
- 4.3 As confirmed above in the Council's answer to Question 1, the 2007 Gypsy & Traveller Accommodation Assessment forms a robust evidence base produced at the local sub-regional level. Policy CS21 of the Core Strategy sets targets for Traveller sites based on the need identified in that evidence and plans to meet those targets in the following ways:
- safeguarding of existing authorised sites;
 - intensification of existing authorised sites;
 - promotion of new sites in the New Neighbourhoods; and
 - further allocations in the Policies, Sites & Places DPD and consideration of windfall sites located in sustainable locations.
- 4.4 This strategy, which has been widely consulted upon with members of the public and the Gypsy/Traveller community, protects the Green Belt and open countryside from the development of new sites. It ensures that need for pitches is fully addressed through the Local Development Framework, thereby addressing under-provision and reducing unauthorised developments and encampments.
- 4.5 Policy CS22 of the Core Strategy for Travelling Showpeople is different in its approach to the provision of additional sites than that of Gypsies and Travellers (Policy CS21). Whereas with the Gypsy/Traveller policy it is possible to look to the new neighbourhoods to provide new Gypsy/Traveller pitches; with Travelling Showpeople this is not achievable. Policy CS22 has been developed to include the consideration for additional sites through the Policies, Sites and Places DPD. This will look to allocate future land for Travelling Showpeople use in accordance with identified need. It is anticipated that a local needs assessment will inform this process.

5.0 Conclusion

- 5.1 Meeting Gypsy and Traveller accommodation needs is a key role of the planning system. The Council has sought to undertaken this in a fair and balanced way that respects the rights of the G&T community and conforms with national policy. However, as identified by the responses set out above the Council is having to reconcile the high level of need with limited site availability that does not compromise the Green Belt or the open countryside. This is a dilemma the Council cannot easily resolve. It is therefore essential that the four planks of the strategy set out in Policy CS21 is fully delivered. To remove one or more parts of this could seriously undermine the ability of the Council to meet identified need over the Plan period in accordance with Government policy.