

**SOUTH GLOUCESTERSHIRE CORE STRATEGY
EXAMINATION HEARINGS – MATTER 12:
GYPSY AND TRAVELLER PROVISION**

JOINT STATEMENT ON BEHALF OF:

**PERSIMMON HOMES, ASHFIELD LAND AND
CHARLTON ESTATES**

**PERSIMMON HOMES AND MAXIMUS
DEVELOPMENTS**

HERON LAND DEVELOPMENTS

REDROW HOMES

BAE SYSTEMS

MAY 2012

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Introduction

- 1.1 This Joint Statement has been prepared by Turley Associates on behalf of a consortia of developers comprising:
 - Persimmon Homes, Ashfield Land and Charlton Estates
 - Persimmon Homes and Maximus Developments
 - BAE Systems
 - Heron Land Developments
 - Redrow Homes
- 1.2 This Joint Statement specifically addresses the Inspector's questions set out under Matter 8, which deals with the provision of Gypsy and Traveller sites.
- 1.3 The consortia have sought to meet with South Gloucestershire Council to agree a Statement of Common Ground relating to the Council's proposed approach to gypsy and traveller provision. The Council has, however, declined this invitation on the basis of the consortia's in principle objections to the proposed policy framework. To aid the Inspector's consideration of this matter, it was agreed by the consortia that a single Joint Statement would be submitted.
- 1.4 These representations will be elaborated further at the respective Examination session.

Matter 12: Gypsy and Traveller Provision

Question 1: Is there sufficient recent evidence to determine the likely level of need for traveller provision in the South Gloucestershire area?

- 1.5 The only available evidence regarding need for traveller provision in the district is drawn from the West of England Gypsy Traveller Accommodation (and Other Needs) Assessment 2006 – 2016 (October 2007) (EB12). This report provides an estimate of future pitch requirements (for residential, transit and travelling showpeople) for the period 2006 to 2016.
- 1.6 The GTAA estimates that there will be a need for 48 extra gypsy and traveller pitches between 2006 and 2011, with an additional 22 pitches required between 2011 and 2016 (Table 13). For the purposes of the Pre-Submission Publication Draft Core Strategy (March, 2010) (SD1) and the Core Strategy (Incorporating Post-Submission Changes) (December, 2011) (PS2), this need is taken as being 58 residential pitches between 2006 and 2011. This increase takes account of 10 additional residential pitches that were subject to a planning appeal at the time of the GTAA. The GTAA also estimates that a further 25 transit pitches will be required between 2006 and 2011. No further transit requirement is identified during the 2011 and 2016 period.
- 1.7 In the context of the Core Strategy, the GTAA cannot be considered as 'recent evidence' sufficient to determine the likely need over the plan period. The report itself is now dated given that it was published almost five years ago. The value of the GTAA to the Core Strategy is also limited by the fact that it only covers the period up to 2016, whilst the plan period runs to 2026 (extended to 2027).
- 1.8 The estimates for future pitch requirements in the GTAA are split into two periods - 2006 to 2011 and 2011 to 2016. Our clients are particularly concerned with how robust the figures provided for the latter period are. They are calculated by applying a 3% annual growth to the combined supply and need figures for 2006 to 2011. Paragraph 4.2.2 of the GTAA recognises that the 2011 to 2016 figures provide only an indicative needs forecast and

will be affected by change in the period 2006 to 2011, and should be reviewed at the appropriate time, particularly in light of reallocation of need between authorities and progress with pitch provision up to 2011.

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- 1.9 We are not aware of any recent evidence to indicate how many pitches are still required following the 2006 to 2011 period. The only update to this figure has been provided as part of the now abandoned Gypsy and Traveller Sites DPD, which was prepared in 2008/2009. The focus of this DPD was primarily the period up to 2011.
- 1.10 The robustness of the figures contained in the GTAA are also questioned by the Council itself. Paragraph 10.63 of the Pre-Submission Publication Draft Core Strategy and the Core Strategy (incorporating Post-Submission Changes) states that *“there are appropriate circumstances to reconsider the basis upon which provision for Gypsy/Traveller sites was established in the West of England GTAA in 2007”*. Paragraph 10.64 of both documents continues by stating that
- the GTAA placed a disproportionate reliance on the historic high numbers in settling provision for the district up to 2011 and, as a consequence, this figure now looks increasingly outdated as a basis to establish provision against.*
- 1.11 This again suggests that limited weight should be given to the evidence relating to future pitch requirements provided by the GTAA. This is supported by the fact that **Policy CS21** itself does not identify a specific requirement that should be met over the plan period. Instead it makes reference to provision being made in accordance with ‘identified need’. Whilst we accept that there is likely to be a need post 2016, there is currently no robust and up-to-date evidence base to indicate what this ‘identified need’ actually is.
- 1.12 This is contrary to national policy contained in Planning Policy for Traveller Sites (March 2012) (NP28), which requires Local Planning Authorities (LPA’s) to *“prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of their development plan”*. To do so, Policy A of the document requires LPA’s to *“use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions”*. No such evidence base exists for South Gloucestershire over the course of the full plan period.
- 1.13 The evidence base should therefore be updated as part of the Policies, Sites and Places DPD. This would ensure a robust understanding of, and ability to plan for, the likely permanent and transit accommodation needs over the remaining plan period. This would be consistent with national planning policy and the Council’s approach to future provision for travelling showpeople, as set out in **Policy CS22**.

Question 2: Can adequate provision for traveller sites be provided without compromising Green Belt locations?

- 1.14 The Core Strategy (incorporating Post-Submission Changes) states that gypsy/traveller pitches will be provided in three ways between 2011 and 2026:
- i) Working with gypsy/traveller families on existing sites to make more efficient use of land (where appropriate) to provide additional pitches.
 - ii) New site provision as part of delivering the strategic new neighbourhoods.
 - iii) Individual applications through the development management process.
- 1.15 Paragraph 10.66 of the Core Strategy (incorporating Post-Submission Changes) suggests that an additional 27 residential pitches and 9 transit pitches could be provided by making more efficient use of existing sites. It is understood that this estimate is based on work originally undertaken as part of the now abandoned Gypsy and Traveller DPD.
- 1.16 Providing additional pitches at appropriate, well established sites is a logical approach to accommodating existing and future need. Such provision is more likely to be deliverable, provide sites in locations travellers wish to locate to and help address need created by household formation or overcrowding. This approach is likely to be particularly important in meeting need early in the plan period.
- 1.17 Whilst we do not object to the general principle of new site provision (to meet an identified need) the approach currently set out in **Policy CS21** is not adequately justified or consistent with other policies in the Core Strategy. The policy is also not consistent with national planning policy. Our primary concern is the Council's requirement for all strategic new neighbourhoods to deliver new site provision. This approach clearly predetermines where new site provision will be made. It is also not based on a clear understanding of identified need over the plan period, or having fully considered alternative locations.
- 1.18 The only assessment of alternative locations undertaken to date formed part of the now abandoned DPD process. This process involved a site search, which sought to identify additional pitches through existing sites, additional sites in close proximity to existing gypsy and traveller sites and other additional sites. It is important to note that the purpose of this document was primarily to identify sites to meet an identified shortfall in accommodation up to 2011. The provision of additional sites beyond 2011 was therefore limited.

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- 1.19 The abandoned DPD makes brief reference to longer term strategic accommodation, but focuses solely on provision through major new developments to be brought forward through the Core Strategy. The document provides no clear justification for this strategy. It instead appears to be seen as an 'easy route' by the Council to delivering longer term need, without undertaking a proper and comprehensive site search post 2011.
- 1.20 The Council's current approach to new site provision (focusing on the strategic new neighbourhoods) pre-empts where provision will be made and effectively rules out a comprehensive assessment of potentially more appropriate locations. It is also likely to lead to considerable delays in provision given concerns over the delivery of such uses as part of the new neighbourhoods, and the phasing associated with developments of this scale.
- 1.21 **Policy CS21**, and its supporting text, should therefore be amended to allow the Policies, Sites and Places DPD to play a lead role in looking at local need and identifying suitable sites over a wider area. This process would allow continued collaborative working and engagement of stakeholders, and ensure that an appropriate level of provision is achieved on the *best* sites.
- 1.22 This would also be consistent with the Council's approach in **Policy CS22** – Travelling Showpeople, which states that provision will be made *"through the Policies, Sites and Places DPD in accordance with identified need and taking into account other provision within the district"*. This approach does not pre-empt where new sites are located, and ensures that provision is made on the basis of an understanding of local need across the plan period.
- 1.23 Similarities can be drawn with the approach originally proposed by Exeter City Council, whereby strategic allocations were identified as providing a specific number of additional gypsy and traveller pitches. Following the Core Strategy Examination in 2011, the Inspector identified a number of changes relating to the Council's approach to gypsy and traveller site provision that were considered necessary to make the plan sound. The Inspector concluded that the changes were required to avoid pre-empting the site search process and to give the Site Allocations DPD a stronger role in looking at local need and identifying suitable sites over a wider area. As a result of the Inspector's recommendations, the Council has confirmed that land within the strategic allocations will no longer be safeguarded for additional pitches, and instead sites will be identified through a future Gypsy and Traveller Site Allocation Plan.
- 1.24 As stated above, there is currently no robust and up-to-date evidence base to establish accommodation needs over the full plan period. It is therefore essential

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that further work is undertaken to inform the plan making process going forward (specifically the Policies, Sites and Places DPD). This would establish the actual level of need, and ensure that adequate provision (over and above that already identified) is made through the plan making process. **Policy CS21** should therefore be amended to read:

Provision will be made for Gypsy/Traveller accommodation in accordance with identified need through the intensification of suitable existing family sites and ~~through the new neighbourhoods identified in this Core Strategy~~ new site provision through the Policies, Sites and Places DPD to meet long term need for additional pitches up to 2026.

- 1.25 It is considered appropriate for **Policy CS21** to enable further provision to be made through individual applications determined as part of the development management process. Any such applications would be determined in accordance with national planning policy and the criteria set out in **Policy CS21** (of the Core Strategy (Incorporating Post-Submission Changes)).
- 1.26 It should also be noted that **Policy CS21** of the Core Strategy (Incorporating Post-Submission Changes) states that proposals for sites within the Green Belt will only be acceptable where it can be demonstrated that very special circumstances exist. National planning policy for traveller sites makes it clear that Green Belt boundaries should only be altered in exceptional circumstances. It does, however, make allowances for LPA's to make "an exceptional limited alteration to the defined Green Belt boundary...to meet a specific, identified need for a traveller site". It goes on to state that such alterations should only be made through the plan making process.
- 1.27 On this basis, it is important that the starting point is not to automatically rule out the provision of traveller sites within the Green Belt, where a specific identified need and very special circumstances may exist. In the same way that the policy should not pre-empt provision in the new neighbourhoods. Any such changes should be made through the Policies, Sites and Places DPD, if a specific need is identified.

Question 3: 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?

- 1.28 The Core Strategy is not consistent with the requirements of national planning policy. As established above, the Council does not have an up-to-date evidence base on which locally set targets can be determined. The Council's policy approach also fails to accord with national planning policy by not adequately considering deliverability of new site provision.
- 1.29 Paragraph 9 of Planning Policy for Traveller Sites requires LPA's to identify a supply of specific:
- deliverable sites sufficient to provide five years' worth of sites against their locally set targets; and
 - developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15.
- 1.30 Planning Policy for Traveller Sites (Footnote 7, Page 3) states that for sites to be considered deliverable they should be
- available now, offer a suitable location for development now, and be achievable with a realistic prospect that development will be delivered on the site within five years and in particular that development of the site is viable.*
- 1.31 To be considered developable "*there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged*" (Footnote 8, Page 3).
- 1.32 As stated in our earlier representations, our clients strongly object to the provision of traveller sites as part of delivering the new strategic neighbourhoods. Aside from the lack of an up-to-date evidence base and pre-empting the site selection process, our clients also have significant concerns regarding the feasibility and viability of delivering new residential pitches as part of the new neighbourhoods. As it stands the Council has merely identified the strategic new neighbourhoods generically as providing for future residential pitches, with no thought being given to deliverability. This is clearly contrary to national planning policy and was a further issue picked up during the Exeter Core Strategy Examination in 2011. As a result, the Core Strategy was amended to refer to 'suitable and deliverable sites'.

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- 1.33 As has been made clear through our earlier representations on behalf of Persimmon Homes and Ashfield Land, because of previous experience of the adverse impact on viability and deliverability our clients will not be making land it controls available for traveller sites. This position is also echoed by those controlling other land allocated as strategic new neighbourhoods (including Redrow Homes, Heron Land Development Limited and BAE). Land forming part of the new neighbourhoods cannot therefore be considered deliverable for provision of additional traveller sites. Such sites are not available now, do not offer a suitable location now, and are clearly not achievable as there is no realistic prospect that development will be delivered. Equally, these sites are not considered developable given that again there is no *“reasonable prospect that the site is available and could be viably developed”*.
- 1.34 As stated above, the site search process to date (carried out in 2008/2009 as part of the abandoned DPD) focused on meeting an identified shortfall in the period up to 2011. It is wholly inappropriate to simply require the strategic new neighbourhoods to provide longer term need, without first considering other alternatives.
- 1.35 The current policy approach is therefore not consistent with national planning policy, given that it identifies sites that are not deliverable or developable. As stated above, the Council should instead seek to bring forward deliverable and developable sites through the Policies, Sites and Places DPD, having first established locally set targets based on an up-to-date evidence base.
- 1.36 This process would allow a comprehensive assessment of all available and deliverable sites, to ensure that appropriate provision is made on the most appropriate sites over the plan period. This process must also include sites in public ownership, given that they are likely to represent the most genuinely deliverable options for accommodating new residential pitches.
- 1.37 If demonstrated to be necessary then development within the strategic new neighbourhoods could be asked to make financial contributions towards the delivery of suitable sites for gypsy and traveller pitches elsewhere, and in lieu of equivalent affordable housing, through the Section 106 process. Such an approach could aid deliverability of subsequent sites identified through the Policies, Sites and Places DPD.

Question 4: Does the Council's approach to provision otherwise accord with the requirements set out in the Planning Framework?

1.38 To accord with national planning policy it is necessary to include criteria to guide land supply allocations and to provide a basis for decisions through the development management process. The Pre-Submission Publication Draft Core Strategy fails to provide such criteria in **Policy CS21**. The Core Strategy (Including Post-Submission Changes) does, however, introduce a criteria based policy.

1.39 We support the general principle of including such criteria within **Policy CS21**. This is consistent with national planning policy and **Policy CS22**. Criterion (3) set out in **Policy CS21** should, however, be amended to ensure that equal weight is given to the amenities of both existing residents and new neighbouring residential occupiers. This change is required to protect the amenities of future residents of neighbouring developments that benefit from planning permission, or are identified as future allocations, but are yet to be built out. Criterion (3) should therefore be amended to read:

"3. The proposal would not unacceptably prejudice the amenities of existing and new neighbouring residential occupiers".

1.40 National planning policy also allows LPA's to consider using a rural exception site policy for traveller sites. Such a policy would allow small sites to come forward specifically for affordable traveller sites in small rural communities. Any such policy should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.

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