

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Leader and Cabinet 10 April 2008  
**AUTHOR/S:** Executive Director / Principal Planning Policy Officer

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### **RESPONSE TO THE REGIONAL SPATIAL STRATEGY FOR THE EAST OF ENGLAND SINGLE ISSUE REVIEW TO ADDRESS PROVISION OF GYPSY AND TRAVELLER CARAVAN SITES**

#### **Purpose**

1. The purpose of this report is to outline the contents of the East of England Plan Single Issue Review and the policy that has now been submitted to the Secretary of State for adoption, and to agree the response from South Cambridgeshire District Council to the current consultation.

#### **Executive Summary**

2. The East of England Regional Assembly (EERA) has undertaken a single-issue review of the Regional Spatial Strategy to address provision of Gypsy and Traveller Caravan Sites in the East of England. EERA has now submitted a draft policy to the Secretary of State, and it is the subject of a 12-week public consultation prior to an Examination in Public.
3. The draft policy requires provision of at least 1,187 net additional residential pitches for Gypsy and Traveller Caravans over the period 2006 to 2011 in the East of England, including 59 in South Cambridgeshire. It requires provision of at least 15 pitches in all districts, with a proportionate reduction in the four local council areas (including South Cambridgeshire) with the highest level of existing gypsy and traveller caravan sites.
4. This report seeks to agree the Council's response to the draft policy. It is recommended that the Council's response supports the approach to provision across the region, as it will create greater equity, choice, and flexibility, to the benefit of all communities. It will also create a strategy that is more deliverable than one which focuses growth purely in areas of existing concentrations of gypsy and traveller caravan sites.

#### **Background to RSS Review**

5. At a meeting on 6 February 2007, the Regional Planning Panel agreed to proceed with a single-issue review of the emerging East of England Plan relating to the provision of Gypsy and Traveller caravan sites. The review is necessary to comply with Government Policy (ODPM Circular 01/2006), which states that 'the Regional Spatial Strategy revision should identify the number of pitches required (but not their location) for each local planning authority in the light of local authority Gypsy and Traveller Accommodation Assessments and a strategic view of needs across the region'.
6. EERA subsequently carried out an Issues and Options consultation, which ran from 8 May 2007 for a 12-week period. The document sought views on the scale of pitch provision appropriate across the region, the distribution of provision, and delivery and

implementation issues. South Cambridgeshire District Council provided a response to this consultation, as agreed by Council on 19 June 2007.

7. EERA considered representations received, and approved a draft policy at its meeting of 25 January 2008. The draft policy was submitted to the Secretary of State on 25 February 2008, and this marked the start of a 12-week consultation period.
8. Following this consultation, the draft policy will undergo an Examination in Public, before the final policy is approved by the Secretary of State for Communities and Local Government in 2009.

### **The Proposed Draft Policy**

9. As the final East of England Plan has yet to be published, the proposed draft policy is currently a revision to Regional Planning Guidance Note 6. When the new East of England Plan is adopted, the new policy will replace policy H4 and supporting text (currently contained in the existing Secretary of State's proposed changes to the Draft Revision to the Regional Spatial Strategy for the East of England).
10. The policy requires that provision be made for at least 1,187 net additional residential pitches for Gypsy and Traveller Caravans over the period 2006 to 2011, to contribute to housing provision in the East of England as a whole. This figure was established from Travellers Accommodation Needs Assessments carried out across the region.
11. The policy then distributes this requirement across the individual Districts of the Region. One of the main matters arising from the Issues consultation in 2007 was whether need should be addressed only in the locations where it was theoretically calculated to arise from, or whether there should be a wider distribution of provision. The Regional Assembly determined that it should be the latter. The distribution is based on a minimum provision of 15 pitches in every district, with a proportionate reduction in the four local council areas (including South Cambridgeshire) with the highest level of need arising. This reflects option 2 in the Issues consultation, but the figure has been adjusted to 59 pitches rather than 70, due to a reduction in the need calculated regionally.
12. It should be noted that in responding to the Issues consultation in 2007, the Council supported option 2, but sought an even greater level of distribution across adjoining administrative boundaries from those areas with the highest existing concentrations of gypsy and traveller caravan sites.
13. Local authorities are encouraged to achieve this level of provision as soon as possible through the development control process, when opportunities present themselves through new major developments, and through preparation of Local Development Documents.
14. Beyond 2011, the draft policy states that provision should be made for a 3% annual increase in the level of provision across the region. Where Local Development Documents look beyond 2011 they should seek to continue the distributional strategy for 2006-11 outlined in the policy, unless evidence from up to date Gypsy and Traveller Accommodation Assessments suggests otherwise.
15. The policy states that Local Development Documents should consider the need for rural exception sites through criteria based policies and the alteration of Green Belt boundaries where necessary to make required levels of provision.

16. The figures in the policy do not include any level of transit pitch provision, or any consideration of pitch requirements for Travelling Showpeople, as these issues are the subject of on-going research.

### **Proposed Response to the Consultation**

17. It is recommended that the Council's response is structured around individual elements of the policy.

### ***Provision of 1187 pitches in the East of England between 2006 and 2011***

18. It is recommended that the regional total requirement 2006 to 2011 is accepted. The requirement is based on the Gypsy and Traveller Accommodation Assessments carried out across the region, with detailed work to ensure consistency and creation of a robust evidence base.
19. It should be clarified in the policy that provision that has already been made since 2006 can be taken into account when analysing provision towards meeting that figure. To that end, the plan should also clarify the start date, 1 January 2006, as this was the date the existing provision figures were based on.

### ***Distribution of Provision***

20. The Council is recommended to support the distribution of pitches provided by the draft policy.
21. It is reasonable to seek to distribute pitch provision beyond just the areas where Travellers are currently located. The policy will result in an increase in the level of authorised pitch provision in all areas of the region, and reflects evidence that suggests Gypsies and Travellers themselves would support greater choice in areas where they could live. There are considered to be strong equity and delivery arguments in support of this approach. It will provide flexibility and choice for Gypsies and Travellers.
22. The need which the regional pitch requirement is based on is calculated from existing provision or unauthorised developments. Historically there have been significant areas within the region where no provision has been made for Travellers by the local planning authorities, and hence no need has been calculated in those areas. This does not mean that Travellers would not locate in these areas if they had the choice.
23. The researchers completing the CSTNA found; "no specific geographical location preferred by respondents, just "more sites anywhere."<sup>1</sup> Historically Gypsies and Travellers have had links to agriculture and horticulture within South Cambridgeshire but with changes in those industries those links are no longer that significant. Gypsies and Travellers are now traders in various commodities and are much less tied to any one geographical place. Historical association with agriculture is now less important than for example access to the trunk road network.
24. The Ormiston report prepared to support the regional plan review provided evidence of a significant willingness to move locations should attractive accommodation become available, and comparatively few locations where Gypsies and Travellers would not be prepared to live.

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<sup>1</sup> CSTNA 2006: 28 paragraph 3.7.3

25. South Cambridgeshire District Council has found that taking a responsible approach to making provision for Gypsies and Travellers has had the effect of making the District attractive to this community, particularly as other districts in the region have not made provision. By permitting more than 200 private pitches and, in response to representations from Travellers, identifying land within the Local Plan 2004 for Traveller sites, SCDC has properly addressed the need for Traveller sites, and had this approach been mirrored within the Region, the scale of the challenge would be significantly less than it is today. South Cambridgeshire has high numbers of Gypsies/Travellers partly for historical reasons, which no longer pertain, and because it has taken this responsible approach to site provision.
26. The DCLG document 'Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies' (March 2007) highlights that, with regard to the East of England, because most need arises from existing site provision and unauthorised developments, and because these are not evenly spread at present, requirements are patchy on a 'need where it arises' basis. There are equity arguments for a wider spread (p.71). There are sound reasons on grounds of equity and choice for creating wider geographical options for Gypsies and Travellers through pitch allocations to 'new' areas.
27. The policy requirement to significantly increase the level of provision of authorised pitches in the region over a relatively short period can only be met by strategy of greater distribution. Requiring four authorities to meet 45% of the need, in this timescale, would represent an inequitable and undeliverable approach.
28. The approach to requiring every Local Authority to provide at least one site is supported. This provides an equitable basis in order that the pressing need can be met as quickly as possible without undue costs to any one area. It also has the advantage of providing choice, allowing Gypsies and Travellers to locate in a variety of locations as opposed to only a few areas.
29. There are no overriding environmental reasons why any authority in the East of England could not accommodate some level of provision. This is demonstrated by the example of South Cambridgeshire, where needs have been met in a responsible manner despite considerable constraints, including a Green Belt that covers more than a quarter of the District. Even in districts that are predominantly urban there will be opportunities to integrate new Traveller pitches with new developments. However, account must be taken of the constraints of accommodating a high proportion of the need in only a few districts. To require additional provision of 120 pitches in the district, as advocated by option 1 in the Issues consultation, would create a considerable risk of environmental, social and economic difficulties. The generally open agricultural landscape of South Cambridgeshire; low-lying areas to the north, liability to flooding and a high density of settlements (the District has 102 villages) means that Gypsy/Traveller sites are difficult to accommodate without harming the rural character of the countryside. Circular 01/2006 particularly recognises Green Belts as a constraint in meeting the needs of Gypsies and Travellers. It also recognises that Traveller development needs to respect the scale of the existing settlements to which they relate. Existing concentrations within the District have been recognised by both the Secretary of State and the Courts as having a significantly harmful impact on the neighbouring settlements.
30. The figure of 59 pitches proposed for South Cambridgeshire maintains a proportionally higher figure where there are existing Gypsy and Traveller communities, and provides sufficient scope to address the unauthorised need identified in the district in the CSTNA (55 to 65 pitches). South Cambridgeshire

District Council has already begun preparation of a Gypsy and Traveller DPD, to address this urgent need, in advance of completion of the single-issue review.

In summary, the approach to provision proposed in the draft policy will create greater equity, choice, and flexibility across the region, to the benefit of all communities. It will also create a strategy that is actually deliverable.

### ***Provision beyond 2011***

31. The approach to provision beyond 2011 is broadly supported. It is considered sound to have regard to growth of the gypsy and traveller population when considering the future need for sites. This has already been taken into account in the needs assessments for the period up to 2011, and will clearly continue beyond that date. DCLG/EERA research highlights the importance of addressing household growth, and states that, 'The important point is to counter any perception that Gypsy and Traveller need can be met on a once-and-for-all basis.'
32. There is a lack of firm evidence on the level of need beyond 2011, but given the timescale of preparing Local Development Documents it would be inefficient for a plan to only consider the years up to 2011. The policy as worded provides appropriate guidance on how to plan beyond 2011, before additional evidence which takes account of the impact of the pre 2011 strategy is available. It is appropriately flexible, allowing authorities adopt the best approach for their area and their overall LDF, and adapt their approach if additional evidence becomes available.
33. The present shortage means that it is currently impossible to predict trends into a period when provision should be dramatically enhanced across the region. This issue was identified in DCLG/EERA research 'Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies', which states at page 68, 'Given the difficulties in making longer-term predictions of requirements we think it inappropriate to attempt to assess requirements now for the period between 2011 and 2021 in the East of England. Significant provision in the first five years of the plan period should allow the continuing rate of household growth to be monitored, and the level of need to be better assessed in the future.'
34. The issue could be re-examined as part of the more general review of the RSS. This could take account of the impact of districts allocating sites through Local Development Frameworks. More robust research is needed to enable a longer-term assessment of needs, and household growth.
35. The use of the 3% figure does appear to be the best approach at this stage. It is supported in the DCLG / EERA research mentioned above, and is utilised in the Cambridgeshire Travellers Needs Assessment.
36. The distributional element of this policy is crucial, and is supported. If future growth requirements were based on the total number of pitches situated in a district at 2011, the inequitable distribution would be amplified, and the pre 2011 strategy would be rapidly undermined. It would perpetuate social, environmental and economic issues and unreasonably restrict Travellers' choice as to where they can live. It would have the effect of increasing the existing concentration of Gypsy and Traveller pitches and create difficulties in delivery. The distributed approach to provision should continue to form the basis of provision beyond 2011.

### ***Transit Pitches***

37. Excluding a specific requirement for Transit pitch provision in the policy is supported. This issue should be the subject of additional research across the region, to provide a proper evidence base on this type of provision, in order that needs can be properly addressed. This could then feed into a review of the Regional Spatial Strategy.
38. The Cambridge Sub-Region Traveller Needs Assessment 2006 (CSTNA) found that there was a pressing need for 'more sites of all kinds (public and private, long stay, and transit)'. There was however preference for long-stay private sites, and the researchers concluded that authorities involved in the survey should concentrate on providing 'long stay accommodation first rather than transit sites or emergency stopping places, neither of which are Gypsy / Travellers preference'. Given the need that exists, and the pressure on existing sites it would be likely that transit sites would be occupied as long-term sites, at least in the short term.
39. It would be reasonable at this stage to allow authorities to determine whether transit sites are needed to meet local need in their District, or whether the need is best met by other types of site, until further research is available.

### ***Travelling Showpeople***

40. The approach in the draft policy on Travelling Showpeople is supported.
41. There are two existing Travelling Showpeople sites in South Cambridgeshire. The need identified in the CSTNA was for only five additional pitches across the nine administrative areas. The needs of Travelling Showpeople across the region should be the subject of further research, as there is currently insufficient information to make specific district requirements. In the meantime needs can be addressed by Development Plan Documents reflecting Circular 04/2007.

### ***Delivery and Implementation***

42. The paper on implementation and monitoring which accompanies the new policy is noted. Delivery of the required number of Travellers pitches remains a challenging issue. It is anticipated that sites will be needed from a number of sources, including rural exception sites, and sites within new developments. A variety of types of provision will be required, including privately run sites, and Local Authority / Housing Association run sites.
43. Delivering the number of sites required will not be easy. In South Cambridgeshire, the council is endeavouring to tackle the issue through appropriate allocations in a development plan document.
44. The Council considers that there is scope for provision to be made through major developments, and supports reference to this type of provision in the draft policy. However, this requirement could be emphasised in the supporting text to the policy, which could link back to the requirements of PPS3 to achieve mixed communities that reflect the profile of households requiring housing. The Council would also welcome guidance for developers from central government in order to ease the section106 negotiation process.
45. There may also be more of a role for Housing Associations to deliver and manage sites. Currently only two housing associations operating in South Cambridgeshire

work with Travellers sites. Further guidance for Housing Associations on how to manage Gypsy/Traveller sites would be an advantage and would also provide local planning authorities with more choice when they come to look at alternative management options.

46. The government's Gypsy and Traveller Site Grant will be crucial to achieving affordable site provision.

**Implications**

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|-----|---------------------|---|
| 47. | Financial           | There are no additional financial implications arising from the RSS review. Cabinet agreed on 12 January 2006 to fund the production of the GTDPD, taking funds from the Travellers budget. Work on the RSS review is incorporated in that budget.  |
|     | Legal               | The Council will be obliged to amend its Local Development Framework documents to reflect any changes in policy in the revised RSS.   |
|     | Staffing            | The Council is already working towards production of a Gypsy and Traveller Development Plan Document. Staff resources will be required to enable the involvement of the Council in the RSS Single Issue Review.   |
|     | Risk Management     | The preparation of the GTDPD adds to an already very heavy workload in Planning Policy and for the corporate projects officer. Resources will need to be carefully balanced to ensure responses are sent to the RSS review and the GTDPD is kept on schedule. To delay or withdraw would risk planning applications being submitted without adequate planning policy guidance in place and call into question earlier enforcement action, which has in part been supported by the positive approach the Council, has taken to planning for Travellers.  |
|     | Equal Opportunities | <p>In line with statutory duties under the Race Relations Acts and Disability Discrimination Acts, this Council's operates both a Race Equality Scheme and a Disability Equality Scheme (the latter considered by the Council on 23 November 2006). Travellers represent the biggest ethnic minority in the district (1% of the population) and suffer disproportionately high levels of ill-health and disability.</p> <ul style="list-style-type: none"> <li>a) The Council is committed to treating everyone fairly and justly, whatever their race or background.</li> <li>b) The Scheme gives priority to actions relating to Travellers as the biggest ethnic minority in the district (around 1.0% of the district's population).</li> </ul> <p>Planning is identified as being amongst the services most relevant to promoting race equality.</p> |

**Consultations**

48. The Housing Strategy Manager and the Housing Advice and Options Manager have been consulted in preparation of this report.

## Effect on Annual Priorities and Corporate Objectives

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| 49. | Affordable Homes                  | The need to address Gypsy and Traveller issues has implications for all three Council priorities and all four corporate objectives. This is also reflected in the Council's policy on Traveller issues, agreed July 2004. The production of the GTDPD is central to identifying how and where Gypsy and Travellers' housing needs can be met. The document will look at public/private provision of sites, location, relationship to settlements and effects on neighbouring uses amongst other issues. The RSS review will have a significant impact on the final level of provision to be met and the location of pitches in the district and across the East of England. |
|     | Customer Service                  |   |
|     | Northstowe and other growth areas |   |
|     | Quality, Accessible Services      |   |
|     | Village Life                      |   |
|     | Sustainability                    |   |
|     | Partnership                       |   |

## Conclusions/Summary

50. A review of the RSS was necessary to provide direction to local planning authorities on how they should be meeting the needs of Gypsies and Travellers, and the aims of the draft policy are broadly supported.

## Recommendation

52. Cabinet is recommended to agree the response to the Regional Spatial Strategy Single Issue Review Draft Policy as detailed in paragraphs 17 to 46 above.

**Background Papers:** the following background papers were used in the preparation of this report:

- Regional Spatial Strategy Single Issue Review: Planning for Gypsy and Traveller accommodation in the East of England Draft Policy February 2008

Note: the policy and supporting documents can be viewed on the following website:  
<http://www.eera.gov.uk/category.asp?cat=722>

- Issues and Options paper relating to the proposed revision to the Regional Spatial Strategy to address provision of Gypsy and Traveller Caravan Sites in the East of England May 2007  
<http://www.eera.gov.uk/category.asp?cat=668>
- Cambridge Sub-Region Traveller Needs Assessment May 2006  
[http://www.scambs.gov.uk/documents/retrieve.htm?pk\\_document=904533](http://www.scambs.gov.uk/documents/retrieve.htm?pk_document=904533)
- Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies' (March 2007)  
<http://www.communities.gov.uk/index.asp?id=1508208>
- Circular 1/2006 Gypsy and Traveller Site Provision
- Circular 4/2007 Planning for Travelling Showpeople

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