

**TRAVELLER ACCOMMODATION ASSESSMENT 2017**

<u>Report of the:</u>	Head of Place Development
<u>Contact:</u>	Karol Jakubczyk
<u>Urgent Decision?(yes/no)</u>	No
<u>If yes, reason urgent decision required:</u>	
<u>Annexes/Appendices (attached):</u>	Annexe 1: Traveller Accommodation Assessment June 2017 Annexe 2: Traveller Site Availability Assessment June 2017
<u>Other available papers (not attached):</u>	Planning Policy for Traveller Sites (August 2015)

**REPORT SUMMARY**

**National planning policy requires that we plan for and meet the future accommodation needs of the local Traveller community as part of the Local Plan process.**

**An all-party Working Group convened by the Planning Policy Committee in April 2014 has contributed to the preparation and production of the technical evidence documents that we are required to produce in order to inform our Local Plan process. The Epsom & Ewell Traveller Accommodation Assessment (TAA) identifies the future accommodation needs for the period between 2017 until 2032, in accordance with the latest national planning policy guidance. The accompanying Traveller Site Availability Assessment (TSAA) considers the potential sources of supply that could be brought forward to meet future accommodation needs. These technical documents are now ready for publication.**

**RECOMMENDATIONS**

- (1) That the Committee considers the findings of the TAA, agrees to its publication and agrees that there is no current requirement for the emerging Local Plan to include a target for Traveller pitch provision.**
- (2) That the Committee agrees that there is an outstanding accommodation need for non-travelling Travellers. Subject to the Committee's agreement, this need will be considered as a specialised component of the Borough's wider housing need.**

*Notes*

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| <p>(3) That the Committee considers the outputs of the TSAA, agrees to its publication and agrees to it being used to inform the preparation of any future site allocation options.</p> <p>(4) That the Committee acknowledge and thank the Gypsy &amp; Traveller Working Group for their contribution towards the preparation and production of the evidence base documents.</p> |  |
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## **1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy**

1.1 The Council's Local Plan provides the spatial planning mechanism for implementing the vision set out in the Sustainable Community Strategy, and the Council's Key Priorities. The Partial Review of the Core Strategy is an important part of the Local Plan as it will ensure that new development is compatible with the vision set out within both the Key Priorities and the Community Strategy.

## **2 Background**

2.1 Work on the Partial Review of the Core Strategy has been underway since 2015. During this time we have made progress on preparing a number of evidence base documents that will help inform and shape our new Local Plan. These have included the Strategic Housing market Assessment (SHMA) and the recent Green Belt Study.

2.2 In addition to preparing evidence on housing demand and land supply, national planning policy requires us to plan for the future accommodation needs of our local Gypsy and Traveller communities. This takes the form of a Traveller Accommodation Assessment (TAA), which in some respects is similar to a SHMA. Within this document we have to identify the scale of accommodation need for a fifteen year period (from 2017 until 2032). Once we have done this exercise, national planning policy requires that we identify a five year supply of deliverable sites to meet need, a six-ten year supply of developable sites, and where possible sites for years 11 – 15.

2.3 During April 2014 the Planning Policy Committee discussed the preparation of the TAA and it was agreed that further consideration needed prior to any public consultation on options. In order to meet this objective the Planning Policy Committee appointed a Working Group to discuss the issues of accommodation need and land supply. During the intervening period the Working group has met on a number of occasions to inform the preparation of the two evidence base documents. The Committee are asked to acknowledge their positive contribution to this process.

- 2.4 During August 2015, the government made a significant change to national planning policy by publishing a revised version of “Planning Policy for Traveller Sites” (August 2015). This document is the principal policy statement on this issue. The revision changed, for the purposes of planning for future accommodation need, the definition of “Gypsies, Travellers and Travelling Showpeople” – removing those who had ceased to travel permanently from the definition. The revision also sought to reinforce the protection of sensitive areas; including the Green Belt.
- 2.5 The revision of national planning policy required us to revisit and review work we had already undertaken on our TAA – specifically in terms of calculating the scale of future accommodation need. That work is now complete. A copy of the TAA is enclosed under Annex 1.

### **3 The Traveller Accommodation Assessment**

- 3.1 The Epsom & Ewell Traveller Accommodation Assessment (TAA) has been prepared to inform our emerging local planning policies in respect of meeting the needs of our Gypsy & Traveller communities. It forms the basis on which we will identify the scale of any site allocations to meet accommodation needs up to 2032. It takes full account of the changes to the National Planning Policy for Traveller Sites document published during August 2015 and brings all available data up to date.
- 3.2 The Assessment has been produced in accordance with National Planning Policy and through utilising a modified version of The Surrey Methodology. It includes a desktop review of existing local authority data together with the preparation of family generation trajectories for both of our existing Gypsy & Traveller sites.
- 3.3 In order to address the changes in national planning policy the Assessment methodology was successfully expanded to provide a clearer overview of local need. In particular, intelligence gained from the Borough Council’s Gypsy & Traveller Liaison Officer has helped to identify a more accurate projection of need. It has also sought to incorporate additional sources of data to provide an accurate projection of accommodation need as required by national planning policy. We are confident that the approach we have taken is sound and robust, and will stand up to the scrutiny of examination by a government appointed Inspector.
- 3.4 From the evidence gathered it has been determined that, under the revised planning definition, there is no identified need for new additional traveller pitches. On that basis the Assessment concludes that there is no current requirement for the Epsom & Ewell Local Plan to include a target for future new Gypsy and Traveller pitch provision. The Assessment also concludes that there is no identifiable need for a dedicated transit site or for additional sites to meet the needs of the Travelling Showperson community.

- 3.5 Although the Assessment concludes that there is no need for new additional Traveller accommodation, the Borough Council, as local housing authority, continues to have a duty under the Housing Act 1985 (as amended by the Housing and Planning Act 2016) to consider the needs of the non-travelling Traveller community. It is considered both prudent and sound for the Borough Council to incorporate that need alongside other specialised forms of housing need – in much the same way that we already consider the accommodation needs of students, the elderly and the infirm. Failure to do so could result in the Local Plan being challenged and found unsound at the examination stage.

#### **4 Traveller Site Availability Assessment**

- 4.1 In parallel to preparing the TAA, the Borough Council has also produced a Traveller Site Availability Assessment. This Study performs a similar function to the Strategic Housing Land Availability Assessment. Namely that it seeks to identify any available and deliverable sources of supply that could be brought forward as potential site allocation options, which could be tested through the forthcoming Issues & Options consultation.
- 4.2 The Traveller Site Availability Assessment was also prepared in conjunction with the Working Group, who provided input on both the sites under consideration and the constraints affecting them. The Site Availability Assessments highlights that potential sources of supply are heavily constrained and that there is significant competition for development sites from other uses, most notably for new market housing. On that basis it is highly likely that we will be unable to identify sufficient available and deliverable sites to meet all of the non-travelling Traveller accommodation need. Nevertheless, as with other forms of housing demand the Borough Council must plan positively to meet as much of the need as possible.
- 4.3 In order to plan positively the Site Availability Assessment does identify the potential for modest expansion of the existing Greenlands site located in the north of the Borough. Whilst this may only meet a proportion of the need identified for the non-travelling Traveller community it remains a positive step forward. It is the only genuinely available and deliverable option that has come forward.

#### **5 Financial and Manpower Implications**

- 5.1 There is an on-going requirement to deliver the emerging new Local Plan; which encompasses our policy for new Gypsy and Traveller accommodation. Staff resources are already allocated to ensure that this objective is achieved.
- 5.2 ***Chief Finance Officer's comments:*** *There are no implications for the purpose of this report.*

#### **6 Legal Implications (including implications for matters relating to equality)**

- 6.1 Section 149 of the Equality Act 2010 provides that a public authority must in the exercise of its functions have due regard to the need to—
- (a).eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b).advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c).foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.2 It further provides that having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—
- (a).remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - (b).take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
  - (c).encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 6.3 Our Gypsy & Traveller communities fall within one of the strands with protected characteristics under the Equality Act 2010. The work carried out to date takes account of equality issues.
- 6.4 The Council's "Your Involvement in Planning" document addresses those equality issues related to consultation and engagement. The full Equalities Impact Assessment will be submitted to the Secretary of State at that stage of the process to demonstrate how equalities issues have been addressed.
- 6.5 ***Monitoring Officer's comments:*** *it is important that the Council prepares planning policies with proper regard to national planning policies and is undertaken in a manner which complies with our statutory duties around equality and other relevant issues. The assessment undertaken to date and Annexed to this report seeks to do precisely that.*

## 7 Sustainability Policy and Community Safety Implications

- 7.1 The Local Plan will deliver the Council's objectives for maintaining and enhancing the Borough as a sustainable place to live, work and visit. The Local Plan is subject to a sustainability appraisal process, which will build upon the appraisal work already carried out for the Core Strategy.

## **8 Partnerships**

8.1 The Localism Act and national planning policy state that public bodies have a duty to cooperate on planning issues that cross administrative boundaries. Meeting needs of our non-travelling Traveller communities may have strategic implications and require consideration under the duty. We will seek to meet this duty by working collaboratively with our partners in neighbouring boroughs and districts on issues of common interest. This is a continuous and evolving process that will help guide future policy development.

## **9 Risk Assessment**

9.1 National planning policy requires that we seek to identify and meet the needs of the Traveller community. We have met that requirement through the production and preparation of our TAA which demonstrates that there is no need for new additional Traveller accommodation.

9.2 We have a similar duty, as local housing authority, under the Housing Act 1985 (as amended) to consider the needs of the non-travelling Traveller community. We are seeking to respond to that requirement by incorporating the accommodation needs of the non-travelling Traveller community as a component of our wider housing need. Given the nature of the Borough and the significant constraints upon the availability of development there is risk that we will not be able to meet all of our projected housing need. This may present an obstacle to our Local Plan progressing through the examination process. We will seek to minimise that risk by ensuring that we have relevant and robust evidence to demonstrate that we have considered and exhausted all possible alternatives to this issue.

## **10 Conclusion and Recommendations**

10.1 That the Committee considers the findings of the TAA, agrees to its publication and agrees that there is no current requirement for the emerging Local Plan to include a target for Traveller pitch provision.

10.2 That the Committee agrees that there is an outstanding accommodation need for non-travelling Travellers. Subject to the Committee's agreement, this need will be considered as a specialised component of the Borough's wider housing need.

10.3 That the Committee considers the outputs of the TSAA, agrees to its publication and agrees to it being used to inform the preparation of possible site allocation options.

10.4 That the Committee acknowledge and thank the Gypsy & Traveller Working Group for their contribution towards the preparation and production of the evidence base documents.

**WARD(S) AFFECTED: (All Wards);**