

Decision Maker: Development Control Committee

Date: 30th June 2011

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **DRAFT PLANNING POLICY STATEMENT "PLANNING FOR TRAVELLER SITES" : RESPONSE TO GOVERNMENT CONSULTATION**

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Chief Officer: Chief Planner Bob McQuillan

Ward: Boroughwide

1. Reason for report

Last August the Government announced its intention to replace the current traveller circulars (01/2006 and 04/2007) with a new, light-touch single Planning Policy Statement. The report highlights key features of the Government's Gypsy & Traveller Policy outlined in the Localism Bill as they relate to the draft Planning Policy Statement. The suggested detailed response to the consultation questions are set out in Appendix I.

2. **RECOMMENDATION**

Members note the report and endorse the proposed response in Appendix I.

Corporate Policy

1. Policy Status: N/A.
 2. BBB Priority: N/A.
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Financial

1. Cost of proposal: No cost
 2. Ongoing costs: Non-recurring cost.
 3. Budget head/performance centre: Planning
 4. Total current budget for this head: £3.3m
 5. Source of funding: Existing revenue budget
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Staff

1. Number of staff (current and additional): 1
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Non-statutory - Government guidance.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1** The draft PPS Policy Background highlights the Government's intention to make it clear that abuse of the planning system by a small minority of travellers will not be tolerated. Measures requiring primary legislation are set out in the Localism Bill. These measures are designed to crack down on unscrupulous developers who have been "playing the system" by drawing out the period of appealing against enforcement action by also submitting a retrospective application for planning permission. The Bill also includes a range of measures to strengthen the powers that local authorities have to enforce against breaches of planning control, including an increase in penalties for non compliance with a Breach of Condition Notice, increasing the maximum fine from £1,000 to £2,500.
- 3.2** The draft Planning Policy Statement "Planning for Traveller Sites", is proposed to replace the existing traveller circulars (01/2006 "Planning for Gypsy and Traveller Caravan Sites" and 04/2007 "Planning for Travelling Show People"). It sets out 8 policy areas (A-G) which cover the use of evidence, plan making, development management and transitional arrangements.
- 3.3** The draft PPS is written in a situation where the London Plan is the only retained spatial strategy (adoption anticipated later this year) and therefore some of the comments in the draft statement need to be caveated in this regard.
- 3.4** The draft PPS proposes that local authorities produce a "robust evidence base" to identify sites within their plans that enable continuous delivery of sites for at least 15yrs from the date of adoption and identify specific deliverable sites for the first five years, "in the light of historical demand".
- 3.5** During the production of the draft London Plan, Bromley has been involved in considerable negotiations and made representations at the Examination in Public (EiP) to ensure that the provision of traveller sites is based, not simply on historic demand, but also on the capacity of the borough to provide sites. Bromley argued effectively that pitches in London were a strategic London-wide matter, and that need should not necessarily be met where it arises, which would result in the responsibility for provision falling heavily on a few individual Boroughs. The EiP Panel agreed with Bromley's argument and in their report on the draft London Plan (March 2011) significantly reduced the pitch contribution for Bromley. Whilst the pitch requirements in the EiP Panel report are expressed sub regionally, they will, in practice, be made up by the contributions of individual boroughs set out in the panel report.
- 3.6** The approach to pitch provision, based on the EiP Panel recommendations has helped the Council win the recent appeal at Archie's Stables. The response to the draft PPS consultation question highlights the role of the London Plan in ensuring strategic London-wide provision of pitches, thus avoiding over reliance on provision by boroughs, such as Bromley, with a higher historic demand.
- 3.7** Detailed responses to the set consultation questions are set out in Appendix I.

4 POLICY IMPLICATIONS

- 4.1 The Planning Policy Statement will replace the guidance in the existing circulars for the purposes of plan making and development control functions.

Non-Applicable Sections:	Financial, Personnel and Legal
Background Documents: (Access via Contact Officer)	“Planning for Traveller Sites” Consultation (CLG April 2011) http://www.communities.gov.uk/publications/planningandbuilding/travellersitesconsultation “A plain English guide to the Localism Bill” (CLG Jan 2011) http://www.communities.gov.uk/publications/localgovernment/localismplainenglishguide “Draft Replacement London Plan - Report of the Panel” (March 2011) http://www.london.gov.uk/london-plan-ejp