



Planning for traveller sites

Consultation response form

When complete please email to: travellerspps@communities.gsi.gov.uk

Alternatively, we would be happy to receive responses by post. Please send to:

Paul Williams
Planning – Economy and Society Division
Department for Communities and Local Government
1/G6 Eland House
Bressenden Place
London SW1E 5DU

The deadline for submissions is Wednesday 6 July 2011.

(a) About you

(i) Your details

Name:	Gill Slater
Position:	Planner (Policy)
Name of organisation (if applicable):	London Borough of Bromley
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Email:	gill.slater@bromley.gov.uk
Telephone number:	0208 313 4492

(ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational response	<input checked="" type="checkbox"/>
Personal views	<input type="checkbox"/>

(iii) Please tick the *one* box which best describes you or your organisation:

Voluntary sector or charitable organisation	<input type="checkbox"/>	
Relevant authority (i.e. district, London borough, county council)	<input checked="" type="checkbox"/>	
Parish council	<input type="checkbox"/>	
Business	<input type="checkbox"/>	
Other public body (please state)	<input type="checkbox"/>	
Other (please state)	<input type="checkbox"/>	

(iv) Do your views or experiences mainly relate to a particular type of geographical location?

City	<input type="checkbox"/>	
London	<input checked="" type="checkbox"/>	
Urban	<input type="checkbox"/>	
Suburban	<input checked="" type="checkbox"/>	
Rural	<input checked="" type="checkbox"/>	
Other (please comment)	<input type="checkbox"/>	

(vi) Would you be happy for us to contact you again in relation to this consultation?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

(b) Consultation questions

Q1. Do you agree that the current definitions of “gypsies and travellers” and “travelling showpeople” should be retained in the new policy?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Comment:

This existing planning definition is important to differentiate those with a land use requirement for pitches from the broader cultural definition which include many gypsies and travellers who have no experience of a nomadic lifestyle.

The land use requirements of travelling show people are distinctly different

Q2. Do you support the proposal to remove specific reference to *Gypsy and Traveller Accommodation Needs Assessments* in the new policy and instead refer to a “robust evidence base”?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

The name is irrelevant - what is important is that there are a clear set of guidelines as to what constitutes a "robust evidence base". Without clear guidelines there will be an inconsistency in approach between Councils. Councils with an historically larger number of gypsies and travellers would be under greater pressure to provide further pitches than neighbouring councils - increasing tensions with the local settled community - in direct contradiction to the Governments stated intention.

In London there has already been a GTANA. ANA in respect of the maximum figure & psychological aversion, however, The London Plan EIP Panel highlighted the flaws in the London GTANA (Gypsy and Traveller Accommodation Needs Assessment) whilst recognising the need for a robust evidence base. The Panel have made sound recommendations to address these flaws and suggested appropriate pitch figures for individual London Boroughs as part of a sub regional approach.

Policy B (e) enables joint development plan (documents). It is important that the London Plan's strategic policy role in setting pitch targets, as recommended by the EIP Panel, is explicitly confirmed.

Inconsistencies between individual evidence bases in London (which is recognised by the EiP Panel as a single strategic area in respect of Gypsy & Traveller pitch provision) would lead to repeated challenges of evidence bases at appeals, with all the additional costs and tensions that would involve.

Q3. Do you agree that where need has been identified, local planning authorities should set targets for the provision of sites in their local planning policies?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

This is a strategic Londonwide issue and will be part of the London Plan. It is not therefore necessary in the Local Development Framework

Q4. Do you think that local planning authorities should plan for "local need in the context of historical demand"?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

In an individual London Borough context this approach is completely inappropriate. London as a whole should consider historical demand, however, for each borough to individually consider historical demand creates several problems, which the London Plan EiP Panel have addressed in some detail.

Panel report para 3.127 "the inescapable conclusion is that in the context of London which is acknowledged as being a single, albeit complex, strategic housing market area, a solution reliant wholly on Boroughs acting individually is unlikely to meet the demonstrable need for significantly increased numbers of pitches for Gypsies and Travellers"

Also the time frame of "historical demand" will be important - In some areas the historic demand has been constrained as sites were closed.

Panel report para 3.140 highlights the "much criticised closures of sites without replacement which has had the effect of deflating apparent need" in certain London Boroughs. "Conversely, the high levels of past provision made or accepted in South East and North East London in the past, in

particular in LB Bromley and LB Havering, has the effect of inflating apparent need in those areas". As a result the panel made adjustments to the suggested figures to compensate for the closure of sites (which simply ignored the "historical demand" at that time).

Q5. Do you agree with the proposal to require local planning authorities to plan for a five-year supply of traveller pitches/plots?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

This would be inconsistent with the EiP Panel recommendations for provision across London for the period up to 2017

Q6. Do you agree that the proposed wording of Policy E (in the draft policy) should be included to ensure consistency with Planning Policy Guidance 2: *Green Belts*?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

This is problematic for many outer London Boroughs, where land is highly constrained and where, for historical reasons, current provision is located within the Green Belt (both permanent sites and long term temporary permissions).

The removal of these sites from Green Belt could prove highly contentious and create significant local tensions.

Q7. Do you agree with the general principle of aligning planning policy on traveller sites more closely with that on other forms of housing?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

The land use issues are distinctly different and as the EiP report recognised there is a need for a different approach to traveller sites.

Q8. Do you agree with the new emphasis on local planning authorities consulting with settled communities as well as traveller communities when formulating their plans and determining individual planning applications to help improve relations between the communities?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Comment:

We already consult with representatives of the Gypsy & Traveller community.

Q9. Do you agree with the proposal in the transitional arrangements policy (paragraph 26 in the draft policy) for local planning authorities to “consider favourably” planning applications for the grant of temporary permission if they cannot demonstrate an up-to-date five-year supply of deliverable traveller sites, to ensure consistency with Planning Policy Statement 3: *Housing*?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

This would be inconsistent with the EiP comment on the London Plan and if the London Plan is adopted as recommended, national policy would be at odds with the London Plan.

Q10. Under the transitional arrangements, do you think that six months is the right time local planning authorities should be given to put in place their five-year land supply before the consequences of not having done so come into force?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

See earlier responses regarding five year land supply.

Q11. Do you have any other comments on the transitional arrangements?

Yes	<input checked="" type="checkbox"/>
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No	<input type="checkbox"/>
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Comment:

This suggestion would be at odds with the advice in paras 109 - 110 of Circular 11/95 on the use of conditions in planning permission

Q12. Are there any other ways in which the policy can be made clearer, shorter or more accessible?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Comment:

There needs to be clarity about the position in respect of the London Plan - paras 1.8 & 2.9 refer to the abolition of regional strategies and the traveller pitch targets they contain. The London Plan has not been abolished and for the reasons outlined in questions 2 & 4 above, the detailed assessment and recommendations of the EiP Panel report (paras 3.104 - 3.145) should be taken into account

<http://www.london.gov.uk/london-plan-eip>

The policy should refer to paras 2.16 - 2.19 of the Policy Background with an explicit reference to the Governments commitment to effective enforcement and the prevention of abuse of the planning system.

Q13. Do you think that the proposals in this draft statement will have a differential impact, either positive or negative, on people because of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation? If so, how in your view should we respond? We are particularly interested in any impacts on (Romany) Gypsies and (Irish) Travellers and welcome the views of organisations and individuals with specific relevant expertise. (A draft Equalities Impact Assessment can be found at Annex C.)

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:



(c) Consultation questions on the impact assessment

The impact assessment is annexed to the consultation document. It is a consultation stage impact assessment, which analyses the costs and benefits of the policy options alongside the 'do nothing' baseline.

General questions about the impact assessment

Q1. Do you think that the impact assessment broadly captures the types and levels of *costs* associated with the policy options? If not, why not?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

As above

Q2. Do you think that the impact assessment broadly captures the types and levels of *benefits* associated with the policy options? If not, why not?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Comment:

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Q3. Are there any significant costs and benefits that we have omitted? If so, please describe including the groups in society affected and your view on the extent of the impact.

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

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Q4. Do you agree that the impact assessment reflects the main impacts that particular sectors and groups are likely to experience as a result of the policy options? If not, why not?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Comment:

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Q5. Are the key assumptions used in the analysis in the impact assessment realistic? If not, what do you think would be more appropriate and do you have any evidence to support your view?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

Risk 1 (pg 76) - The consultation indicates that the risk will be mitigated by the resumption of the site grant and the New Homes Bonus. Attention is drawn to the London Plan EiP Panel findings para 3.130 indicating that the New Homes Bonus would be insufficient benefit in London because of the land requirements. Social housing developments which would be at significantly higher density could deliver a higher NHB.

Q6. Are there any other relevant key sources of evidence relating to the policy or the effectiveness of the suggested options that have been omitted? If so, please provide details.

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Comment:

Note the London Plan EiP Panel recommendations report para 3.126 regarding the effectiveness of past policies

Q7. Are there any significant risks or unintended consequences we have not identified? If so, please describe.

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

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Specific questions about the proposed policies in the impact assessment

Q8. Do you think there are any other benefits to retaining the existing policy (Option 1, do nothing), and whether these can be quantified?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

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Q9. Can you identify – in quantitative terms if possible – whether you think there would be any benefits to Option 2 (withdraw circulars 01/2006 and 04/2007 and do not replace them)?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

Appeals would be fought on the grounds of Human Rights Legislation rather than planning

Q10. Please comment on whether you envisage any extra costs to local planning authorities associated with the assessment of need for traveller sites in their areas, over and above those which they experience at present.

Comment:

Significant costs - The time & money invested in the development of the London Plan targets which has just come to a conclusion with the recommendations of the EiP panel would be completely wasted.
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Q11. Please give your view on the scale of the time and money benefits which will accrue to local planning authorities as a result of being able to set traveller site targets locally.

Comment:

Assuming no re assessment is required (EiP recommendations endorsed) there could be savings in respect of appeals and enforcement.

Q12. Please give your view on whether the transitional period envisaged will lead to any extra costs – and what those might be in monetised terms.

Comment:

See earlier responses

Q13. Please give your view on the extent to which, and rate at which, you consider new sites will come forward as a result of the new approach.

Comment:

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Q14. Is the draft policy likely to have any significant monetary benefit in terms of protection of the Green Belt, and, if so, what this is likely to be?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Comment:

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Q15. Do the familiarisation costs estimated for local planning authorities appear reasonable? Please give your view on the assumptions made in this calculation.

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

Familiarisation with the new guidance may be fairly rapid. What will take the time will be trying to anticipate where the gaps in detail, identified in responses to earlier questions, leave Councils in respect of individual cases.

Q16. Do the estimated administrative savings for local planning authorities, as a result of streamlining national planning policy, seem reasonable? Please give your view on the assumptions made in this calculation.

Yes	<input type="checkbox"/>
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No	<input checked="" type="checkbox"/>
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Comment:

No - understanding the new guidance may be straightforward but applying it will be far more complicated.

Q17. Are there any significant costs and benefits that we have omitted? If so, please describe including the groups in society affected and your view on the extent of the impact.

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Comment:

As above - brevity of guidance leaves much to be argued out at appeal and in the courts. At a cost to the Council tax payer and increased tensions between the settled & travelling community.

Q18. Do you think that the draft policy is likely to have any impact, positive or negative, on travelling showpeople as an economic group?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Comment:

In Bromley we have an effective relationship with our travelling show people and were commended in the London Plan EiP panel report (para 3.144) for a recent expansion to their site. If the panels recommendations are not accepted and endorsed in the new national policy there will inevitably be an impact on the travelling showpeople.

Q19. Are there any significant risks or unintended consequences we have not identified? If so, please describe.

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

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Q20. Do you think there are any groups disproportionately affected?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

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END