

# Partial Review of the South East Plan – Provision for Gypsies and Travellers

## Implementation and delivery issues in East Sussex and Brighton & Hove

### 1 Introduction

- 1.1 As well as seeking joint advice on future pitch requirements, SEERA's brief also asks the local authorities to provide information on a range of issues relating to the implementation and delivery of new sites. In particular, the Assembly is also seeking our advice on:
- the type of facilities required on caravan sites;
  - estimated implementation costs and sources of potential funding;
  - responsibilities for the delivery and management of pitches;
  - the anticipated split between public and private provision;
  - the implications of the diversity of the travelling community for the appropriate size and number of caravan sites;
  - the strategic site location criteria which the South East Plan should include to guide the preparation of LDFs; and
  - the anticipated timing for the preparation of relevant local development documents.
- 1.2 As well as drawing on professional knowledge and local experience of site management and previous grant bids (to refurbish sites), our advice on all the above issues also draws on Government guidance in:
- Circular 1/2006 – *Planning for Gypsy and Traveller Caravan Sites* (February 2006)
  - PPS3 – *Housing* (December 2006)
  - *Draft Guidance on the Design of Sites for Gypsies and Travellers* (May 2007)

### 2 The cost and type of facilities required on new sites

- 2.1 The specifications for facilities required on new sites set out below represent the type of provision that should be expected on larger, public sector sites. The actual facilities required will vary, however, between different type and sizes of site and according to whether they are in public or private ownership.

#### Site requirements

- 2.2 Sites must have:
- appropriate surface water drainage;
  - robust perimeter fencing;
  - access for emergency vehicles;
  - appropriate fire safety provision (hydrants and extinguishers); and
  - where appropriate, play space for children.
- 2.3 Sites should also have:
- lighting for communal areas;
  - a communal notice board; and
  - a communal waste disposal area (if it is not possible to have individual refuse collection).

- 2.4 For sites at a distance from local facilities, a communal meeting room (with male/female toilets and a kitchenette) should be available for meetings and visiting professionals etc.

### Pitch requirements

- 2.5 Permanent pitches should:

- be divided by fencing and have gated access;
- be able to accommodate both a trailer and a touring caravan, and also provide parking for two vehicles;
- each have a well-insulated, heated, brick-built utility block with the following utilities – bath, shower, toilet, hand basin, utility sink, space and plumbing for cooker, washing machine and freezer;
- have links to electricity and mains water supply – ideally linked to mains systems, with individual metering for both;
- have proper drainage and sanitation access; and
- safe storage facilities for gas cylinders.

### Cost estimates

- 2.6 The costs of new pitch provision are very difficult to estimate as they will be determined by a wide range of factors, including site location, size, topography and proximity to mains facilities etc.
- 2.7 Any costs suggested at this stage will also quickly become outdated due to rising building and material costs. However, rough ballpark figures suggest that new pitches currently cost something in the region of £100,000 each to provide. The main source of potential capital funding for such new provision is the DCLG's Gypsy and Traveller Site Grant. At present, this grant is available to local authorities and registered social landlords and forms part of the regional housing pot.
- 2.8 At present, local authorities have only limited knowledge of the ongoing revenue costs and associated budget implications of new site provision and would very much welcome further research and advice on this key issue.

## **3 Delivering new sites**

### Responsibilities for delivery

- 3.1 To a large extent, the responsibility for the delivery of new pitches will lie with each of the district, borough and unitary councils. However, the management of pitches does not also necessarily have to be provided by the councils. There are options to use social landlords, although these would need to be either dedicated specialists or to have previous experience of managing Traveller sites. Local experience suggests that this specialist expertise from social landlords is in short supply and therefore may not be the preferred option in East Sussex and Brighton & Hove.
- 3.2 In East Sussex, the choice is likely to be between each district managing its own site(s) or contracting with the County Council to provide site management. The County Council already manages five sites (four permanent and one transit) across three districts. In Brighton & Hove, further sites are likely to be provided and managed by the City Council.

## Public/private split

- 3.3 Problems in identifying and acquiring suitable land for caravan sites suggest that the majority of future provision is likely to be on local authorities' (or, at least, publicly-owned) land. This, together with the costs of provision and the grants potentially available, also make it most likely that the local councils will continue to own and manage new sites.
- 3.4 However, there might also be some increase in provision on private sites, especially in the more rural areas. There has been a recent trend for some Travellers to buy their own land (generally at agricultural prices) and subsequently seek retrospective planning permission for unauthorised development. With a shortage of overall provision, this has led to planning permissions being granted on a few rural sites on appeal, some of which are temporary permissions. The desire for private sites has also been demonstrated in the GTAA with about 50% of survey participants expressing a preference for living on a site owned by themselves or their family. This may therefore lead to more sites that are owned by Gypsies and Travellers being assessed for allocation in the preparation of relevant development plan documents.

## The diversity of the Gypsy and Traveller population

- 3.5 Travellers currently in East Sussex are mostly traditional, English Romany Gypsies. There are a number of very large extended families and a small number of Travellers with other backgrounds. Most have been resident/travelling within East Sussex for centuries. Good practice suggests that we should aim to provide family-sized sites with between four and a maximum of ten pitches per site. This also accords with the expressed preferences of local Travellers as revealed by the GTAA.
- 3.6 The Traveller population in Brighton & Hove is largely Irish Travellers with larger families. There are also a small number of Travellers with other backgrounds (English, New Travellers). Again, Traveller's own stated preferences are for smaller sites.

## **4 Strategic planning criteria**

- 4.1 The Assembly has requested advice on the locational criteria for Traveller sites that should be included in the South East Plan as strategic guidance to local planning authorities in preparing their local development documents.
- 4.2 In accordance with Circular 1/06, Core Strategies should include criteria for the location of Gypsy and Traveller sites that will guide site allocations and also be used to meet unexpected demand. These criteria must be fair, reasonable, realistic and effective in delivering sites. Annex C of the circular also states that criteria should be "written in a positive manner that offers some certainty that where the criteria (not necessarily all of them) are met planning permission will be granted." While this advice evidently relates to LDFs, avoiding the use of negative criteria, wherever possible, should be equally applicable to the Regional Spatial Strategy.
- 4.4 In LDFs, locational criteria should be framed in a spatially distinctive manner relevant to the particular local area. At regional level, such criteria necessarily need to be more strategic if they are to be robust yet flexible enough to be relevant to all authorities in the region.
- 4.5 In developing our proposals, account has been taken of the various criteria in Circular 1/06 (particularly paras. 47-55 and 64-66). Similarly, as residential caravan sites are another form of housing, we have also had regard to PPS3 *Housing* (especially paras. 36-38). The proposed regional criteria are set out in the form of a draft policy as detailed below.

## Strategic site location criteria

*In preparing policies and allocating sites for Gypsies and Travellers in development plan documents, local planning authorities should allocate sites sufficient at least to meet the number of permanent residential pitches specified (in the South East Plan) and have regard to the following location criteria:*

- (a) the identified needs and demands of gypsies and travellers including working and travelling patterns and the existing pattern of pitch provision;*
- (b) consideration should first be given to identifying sites in or close to existing settlements with access to employment, education, health, shopping and other local services and infrastructure;*
- (c) consideration should also be given to more rural locations, particularly where they are well located in relation to major roads and/or public transport which afford good access to local services and where the necessary infrastructure already exists or can reasonably be provided;*
- (d) the potential to re-use vacant/derelict sites, other brownfield sites and surplus public sector land;*
- (e) locating suitable sites within AONBs and other areas with nationally recognised designations will be acceptable where sites cannot be found that avoid them and provided it can be demonstrated that they do not compromise the objectives of their designation;*
- (f) the following locations must be avoided:*
  - (i) sites on or near to refuse tips, significantly contaminated land, industrial processes or other hazards, where there would be a detrimental effect on the general health and well-being of residents; and*
  - (ii) functional flood plains and other sites in areas of high flood risk; and*
  - (iii) SACs, SPAs, Ramsar Sites and other areas with internationally recognised designations; and*
- (g) sites allocated must be available, suitable and achievable.*

## Rationale for the criteria

- 4.6 The first part of the draft policy establishes that appropriate local development documents will need to allocate sites to meet the permanent pitch numbers established in the South East Plan. It also recognises that additional sites (perhaps including transit sites) may be acceptable and granted permission where needs arise, in the same way as applies to any other form of housing, and that the subsequent criteria should be used by potential applicants to guide their location.
- 4.7 Criterion (a) reflects the fact that Gypsies and Travellers are highly mobile. Evidence of their locational needs and demands together with their working patterns needs to be considered alongside existing pitch provision. In other words, if pitches are allocated in the wrong location they simply won't be taken up by the travelling community and the net result will be a risk of continuing unauthorised encampments and developments. Evidence of needs and demands are also relevant criteria for housing in PPS3 (paragraph 37).
- 4.8 Criteria (b) and (c) are aimed at seeking locations that will help deliver sustainable and inclusive communities. In this case, proximity to essential services and infrastructure (particularly health and education) that Travellers often find it difficult to access are likely to be more readily found close to or within existing settlements. As with conventional housing, such considerations suggest locations in or adjacent to towns and larger villages that support those services should be considered first. More rural locations would also be supportable where access to such services is available and the relevant infrastructure exists

or can be reasonably provided. Access to relevant services and the availability of infrastructure are included in paragraphs 36 and 37 of PPS3.

- 4.9 Criterion (d) is designed to make the best use of available land and to maximise the potential for delivery. It also mirrors government policy that applies to conventional housing in PPS3.
- 4.10 Criterion (e) recognises that land covered by national environmental designations is not automatically ruled out as locations for development. Areas of Outstanding Natural Beauty, for example, are extensive and can cover the majority of some authorities' areas and it would be inappropriate and impractical to ban all development in them. The general principle is that development to meet the needs of the area is permissible provided it does not compromise the objectives of designation.
- 4.11 Criterion (f) itemises a number of types of location to be avoided for a variety of reasons. The likely size and number of Gypsy sites required in each district is such that it should be possible to avoid these classes of location without unduly hampering the ability of any district to meet its requirements. Clauses (i) and (ii) cover circumstances where it would be dangerous, risky or unhealthy for their residents to locate caravan sites in such areas. Clause (iii), conversely, covers the most valued sites that have been recognised internationally for their character and quality and which, as the best examples of their kind, should be avoided for their own sakes.
- 4.12 Finally, criterion (g) emphasises the issue of deliverability and is important to ensure that sites that are allocated will have the best chance of being implemented to meet the needs for which they are designed.

## 5 Local development documents

5.1 The latest information on the likely programmes and timetables for preparing relevant local development documents (Core Strategy and Site Allocations DPD) are set out below.

### Core strategies – key stages

	<b>Issues and options</b>	<b>Preferred options</b>	<b>Submit to SoS</b>	<b>Statutory consultation</b>	<b>Public examination</b>	<b>Adoption</b>
<b>Brighton &amp; Hove</b>	Oct 2005 - Mar 2006✓	Nov - Dec 2006✓  Dec 2007 - Jan 2008 (Refreshed)	July 2008	Aug - Sept 2008	Jan 2009	Oct 2009
<b>Eastbourne</b>	July 2005✓	Jan - Feb 2007✓  Nov - Dec 2007 (Revised)	July 2008	July - Aug 2008	Feb 2009	Nov 2009
<b>Hastings</b>	Oct - Dec 2006	March 2008	Nov 2008	Nov - Dec 2008	July 2009	Jan 2010
<b>Lewes</b>	Sept - Oct 2005✓	29 Sept -10 Nov 2006✓  Mid 2008 (Revised)	Jan 2009	Jan - Feb 2009	July 2009	Jan 2010
<b>Rother</b>	Oct - Nov 2006✓	Jan - Feb 2008	Nov 2008	Nov - Dec 2008	July 2009	Jan 2010
<b>Wealden</b>	July - Aug 2007	April - May 2008	Jan 2009	Jan - Feb 2009	July 2009	March 2010

✓ = event completed

Site Allocations DPD – key stages

	<b>Issues and options</b>	<b>Preferred options</b>	<b>Submit to SoS</b>	<b>Statutory consultation</b>	<b>Public examination</b>	<b>Adoption</b>
<b>Brighton &amp; Hove</b>	Oct 2006 - Jan 2007	Jan - Feb 2009	Nov 2009	Nov - Dec 2009	May - June 2010	Jan 2011
<b>Eastbourne</b> (provisional dates)	Jan-Feb 2009	Oct-Nov 2009	July 2010	July-Aug 2010	May 2011	Feb 2012
<b>Hastings</b>	Jan - Feb 2009	Nov - Dec 2009	May 2010	May - June 2010	Feb 2011	Sept 2011
<b>Rother</b>	Jan - Feb 2009	Nov - Dec 2009	May 2010	May- June 2010	Feb - Mar 2011	Sept 2011
<b>Wealden</b>	Jan - Feb 2009	Oct - Nov 2009	July 2010	July - Aug 2010	May 2011	Feb 2012 +

NB. It is not yet clear whether there will be a separate site allocations DPD for Lewes.