

Winchester District Local Plan Part 2: Development Management and Site Allocations

Background Paper 2A – Gypsy and Traveller Update

Winchester City Council

October 2016



Winchester
City Council

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1. Introduction

- 1.1. This Paper provides an update to [Background Paper 2](#) which was published with the Submission Local Plan Part 2 in March 2016. It sets out the current position and progress in relation to gypsy and traveller accommodation, including that for travelling showpeople. Following the Local Plan examination hearings, the Inspector has indicated that Local Plan Part 2 should deal with the need for traveller pitches in order to be 'sound'. The Paper explains how this is being done and the process for allocating the necessary sites.

2. Background

- 2.1. The [Local Plan Part 1](#) contains a 'criteria-based' policy (CP5) on gypsies and travellers, setting out criteria which would be used to select any site allocations needed and to determine planning applications (see [Background Paper 2](#), Appendix 1). It had originally been the Council's intention that Local Plan Part 2 (LPP2) would establish the number of gypsy and traveller pitches / plots needed and make the necessary allocations. The Travellers Accommodation Assessment for Hampshire (TAA), completed for a consortium of 11 Hampshire local authorities in 2013, established the level of need for traveller accommodation across these authorities, including Winchester.
- 2.2. The Draft LPP2 (October 2014) contained a policy (DM4) which set the need for gypsy/traveller pitches in that part of Winchester District outside the South Downs National Park as 33 gypsy/traveller and 11 travelling showperson's pitches for the period to 2031 (see Background Paper 2, Appendix 2). At the time of the Draft LPP2 it had only been possible to identify one proposed site allocation, at Colden Common. The City Council had therefore jointly commissioned consultants (along with East Hampshire District Council and South Downs National Park Authority) to assess potential sites to meet the accommodation needs of travellers in each local authority area. The results of the Site Assessment Study were intended to inform site allocations in the emerging Local Plan Part 2 but the Study was delayed by a mixture of factors.
- 2.3. Government advice on travellers (Planning Policy for Traveller Sites) was revised in August 2015, resulting in a change to the definition of travellers. The Council concluded that this would require a reassessment of traveller accommodation needs and it was not, therefore, realistic for the Pre-Submission LPP2 to continue to include a pitch target or to allocate traveller sites. Further evidence studies would be required to derive pitch/plot requirements to reflect the new definition of travellers and to assess potential sites to meet the updated needs.
- 2.4. The Council therefore proposed a separate Gypsy and Traveller Needs / Site Allocations Development Plan Document (DPD) which would establish pitch requirements and allocate the necessary sites, once the key evidence studies were received. The Local Development Scheme was updated in October 2015 to reflect this and the LPP2 was submitted for examination without a traveller policy, but referring instead to the proposed Traveller DPD. However, the Local Plan examination Inspector considered that the absence of a traveller policy in LPP2 was a 'soundness' matter ([Inspector's Initial Findings](#) letter 28 July) and suggested this should be addressed by a Modification to LPP2 to set a pitch target for travellers.

- 2.5. Therefore, subject to the LPP2 Inspector accepting the pitch/plot targets in the Proposed Modifications (see Appendix 1), the number of traveller pitches/plots needed will now be established in Local Plan Part 2 rather than the proposed Traveller DPD. Site allocations to meet the identified needs will still be made in the Traveller DPD. The scope and proposed programme for the DPD is set out in the updated [Local Development Scheme](#) (2016).
- 2.6. When [Background Paper 2](#) was published in March 2016 the two key evidence studies required in relation to travellers were in development. Both evidence studies have now been completed and published: the [Winchester Gypsy and Traveller Accommodation Assessment](#) and the [Gypsies and Travellers and Travelling Showpeople Site Assessment Study](#). The conclusions of each study are outlined below.

3. Evidence Studies – Accommodation and Sites Assessments

Gypsy and Traveller Accommodation Assessment

- 3.1. The City Council is part of a consortium of 7 Hampshire authorities that appointed consultants (Opinion Research Services – ORS) at the end of May 2016 to carry out an updated Traveller Accommodation Assessment. The consortium of authorities comprises:
- Winchester City Council
 - Test Valley Borough Council
 - Fareham Borough Council
 - Gosport Borough Council
 - Havant Borough Council
 - New Forest District Council
 - New Forest National Park Authority
- 3.2. All the authorities had previously been part of the consortium of 11 Hampshire local authorities which commissioned the 2013 Travellers Accommodation Assessment for Hampshire. For most authorities, the main driver for an updated assessment was the need for an evidence base which reflects the Government's revised definition of travellers (Planning Policy for Traveller Sites 2015). The new study is therefore aimed particularly at assessing the scale of accommodation needed for travellers that meet the new definition, namely people of a 'nomadic habit of life', including those who have ceased to travel temporarily due to educational or health needs or old age (or a 'localised pattern of trading' in the case of travelling showpeople).
- 3.3. The Gypsy and Traveller Accommodation Assessment was underway at the time of the LPP2 examination hearings. Work is ongoing in relation to the full Assessment covering the 7 authorities, due to the complexity of the wider study and the need to complete the fieldwork for some areas. However the fieldwork has been completed for Winchester and a final assessment of need has been undertaken, enabling a summary report to be produced to provide Winchester City Council with the evidence needed to progress Proposed Modifications to Local Plan Part 2 without undue delay. The resulting [Winchester Gypsy and Traveller Accommodation Assessment](#) relates just to Winchester District (excluding the part in the South Downs National Park) and recommends traveller pitch / plot targets which have been included in the LPP2 Proposed Modifications (new policy DM4).

- 3.4. The [Winchester Gypsy and Traveller Accommodation Assessment](#) has been produced by consultants that have considerable experience in this field in Hampshire and nationally. Not only does this include the consortium of 7 authorities that jointly commissioned the report, but the consultants have recently produced studies using a consistent methodology for other adjoining Hampshire authorities such as Eastleigh and Basingstoke. The consultants have, therefore, produced recent traveller needs assessments using a consistent methodology for almost all the authorities adjoining Winchester City Council, ensuring the results are consistent and that there are no gaps in coverage.
- 3.5. The [Winchester Gypsy and Traveller Accommodation Assessment](#) discusses the current definition of 'travellers' and details the methodology used to assess needs, noting that this has been accepted by local plan and planning appeal Inspectors. The Assessment sets out the results of a comprehensive survey of travellers (section 4), split into 'gypsies and travellers' and 'travelling showpeople'. A very high response rate was achieved for the surveys in Winchester, adding to the robustness of the results. Section 5 of the Assessment analyses the status of households in terms of whether they meet the current definition of 'travellers' and assesses future household requirements (by 5-year periods).
- 3.6. Section 5 of the Assessment focusses on the needs of households that meet the definition of 'travellers', as it is this group that the Planning Policy for Traveller Sites requires planning authorities to make provision for. However, Appendix A of the Assessment also produces information on the future needs of 'non-travellers' (those not meeting the definition of travellers) and 'unknown' households (where an interview was not possible). The assessment of needs is broken down into 5-year periods from 2016 to 2036, with any 'backlog' of need existing at 2016 being identified through the survey work and included in the first 5-year period (hence the high level of need in the first 5 years).
- 3.7. The [Winchester Gypsy and Traveller Accommodation Assessment](#) reaches the following conclusions in relation to the level of need for accommodation for gypsy and traveller households and travelling showpeople:

Years	0-5	6-10	11-15	16-20	Total
	2016-21	2021-26	2026-31	2031-36	2016-36
Gypsies & Travellers	9	3	3	4	19
Travelling Showpeople	18	3	3	3	27

These needs relate to the period from 2016 to 2036. As LPP2 covers the period to 2031, the pitch / plot requirements included in proposed policy DM4 (see Appendix 1) are based on needs from 2016 to 2031:

Years	0-5	6-10	11-15	Total
	2016-21	2021-26	2026-31	2016-31
Gypsies & Travellers	9	3	3	15
Travelling Showpeople	18	3	3	24

- 3.8. The Assessment also considers the need for transit provision but concludes that this may change as a result of the new definition of travellers and should be subject to a review once reliable evidence is available. The new Local Plan policy in the Proposed Modifications allows for transit needs to be considered on an individual basis, following the criteria in LPP1 policy CP5.
- 3.9. As well as assessing the needs of those that meet the current definition of 'travellers' (Planning Policy for Traveller Sites 2015), Appendix A of the Assessment identifies the scale of need for 'non-travellers' (those not meeting the definition of travellers) and 'unknowns' (where an interview was not possible). Some of the 'unknowns' may in due course be able to demonstrate that they meet the definition of travellers and there is scope within policy CP5 and proposed policy DM4 to permit additional pitches if households demonstrate that they have an additional need and fall within the definition of 'travellers'.
- 3.10. The wording of proposed policy DM4 has been amended (from the draft Modifications published in August 2016) to include 'about' the number of additional pitches / plots required, to refer to the relevant period (2016-2031) and to refer specifically to 'traveller' needs (DM4, 2nd paragraph). This is to make clear that sites will be allocated / permitted to meet the needs of those falling within the definition of 'travellers' and enables consent to be granted for sites over and above the stated pitch / plot requirements, where necessary to meet the needs of those falling within the definition.
- 3.11. The Assessment results are not directly comparable with those of the 2013 Travellers Accommodation Assessment for Hampshire, due to the different timescales covered, changes to the definition of travellers, and the different ways in which temporary consents are dealt with. The 2016 Assessment achieved a much higher response rate to its surveys of travellers, making it more robust, and also addressed other criticisms of the 2013 Assessment. The 2016 Assessment includes sites with temporary consent within the pitch

requirement figures (unlike the 2013 Assessment) and the detailed survey results (not included in the published report) enable specific needs to be more easily identified and addressed.

- 3.12. The [Winchester Gypsy and Traveller Accommodation Assessment](#) has been published as part of the evidence base to support the proposed new LPP2 Policy DM4 and explanatory text (see Appendix 1). This enables the evidence base to be taken into account by people commenting on Proposed Modifications MM30 and MM31 (policy DM4).

Gypsies and Travellers and Travelling Showpeople Site Assessment Study

- 3.13. The City Council (working jointly with East Hampshire District Council and the South Downs National Park Authority) appointed Peter Brett Associates (PBA) to identify and assess potential sites to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople in each of the local authority areas. The objective of this study was to identify sites which may be suitable, available and achievable as traveller site allocations, which were originally intended to be allocated in LPP2.
- 3.14. However, the [Gypsies and Travellers and Travelling Showpeople Site Assessment Study](#) was delayed by a number of factors, including limited resources in the local authorities, changes of staff at the consultants and changes to Government policy. The Study was not, therefore, available in time to enable sites to be allocated through the LPP2 process, as had originally been intended. The Site Assessment Study has now been finalised and published as an evidence document by the 3 commissioning authorities.
- 3.15. The broad results of the Site Assessment Study as it relates to Winchester are that 22 existing authorised sites have been identified which the Study recommends should be safeguarded for continued traveller use (15 gypsy and traveller sites and 7 travelling showpeople's sites). There are a further 15 sites which are recommended as potentially available and suitable for travellers (with a total estimated capacity of about 58 pitches/plots), of which 10 would be suitable for gypsies and travellers and 6 for travelling showpeople (one site is classed as suitable for either group). Many of the potential sites would involve either regularising unauthorised sites or intensifying existing authorised sites, but five are 'new' and involve publically owned land (Hampshire County Council).
- 3.16. The Site Assessment Study notes that, since it was commissioned, the Government's Planning Policy for Traveller Sites has been updated (August 2015) and suggests that the traveller accommodation needs assessment should be updated as a result. For Winchester, this has been done through the [Winchester Gypsy and Traveller Accommodation Assessment](#) (see above) and the consultants recognise that an update may impact on their

recommendations (see [Gypsies and Travellers and Travelling Showpeople Site Assessment Study](#) section 8.2, page 32). The Site Assessment Study sought to identify sufficient sites to meet the needs identified through the Travellers Accommodation Assessment for Hampshire 2013, but this is now superseded by the 2016 [Traveller Accommodation Needs Assessment](#) which contains different conclusions on the scale of pitches needed and the period covered.

- 3.17. It is not, therefore, possible simply to match the needs identified in the Accommodation Assessment with the sites recommended by the Site Assessment Study, to arrive at site allocations for the Traveller DPD. Further work will be required to reconcile the results of the updated Accommodation Assessment with the most suitable sites identified through the Site Assessment Study. For example, the 2016 Accommodation Assessment concludes that the need for gypsy / traveller sites is lower than the 2013 TAA, whereas the need for travelling showpeople's plots is higher. The pitch / plot requirements are included in the proposed LPP2 policy DM4 (Main Modification MM31), but the task of identifying sufficient sites to meet these needs should continue to be a matter for the Traveller DPD.
- 3.18. Because the [Gypsies and Travellers and Travelling Showpeople Site Assessment Study](#) refers to pitch requirements which have now been superseded by the 2016 Accommodation Assessment, Winchester City Council's web site highlights that the accommodation needs mentioned in the Site Assessment Study have been updated. This will affect the number of sites required to meet identified needs, meaning that the Site Assessment Study's recommendations may not be followed and further assessment work may be needed on potential sites. This will be undertaken through the preparation of the Traveller DPD and a further 'call for sites' has been issued (in parallel to consultation on the LPP2 Proposed Modifications) to make sure that any other potential sites can be taken into account and assessed.
- 3.19. The Site Assessment Study is, therefore, an evidence document for the Traveller DPD and its recommendations have not been formally considered or endorsed by the Council. The issue of which sites should be allocated or safeguarded to meet the requirements in proposed policy DM4 will be a matter for the Traveller DPD and no further comment is made on them at this stage.

4. Conclusion

- 4.1. The Traveller DPD will not need to contain pitch / plot targets as these are now intended to be included within LPP2 when it is adopted. The Traveller DPD is, therefore, expected to deal only with site safeguarding and allocating sites. The [Local Development Scheme](#) has been revised to set out the expected scope and programme for the Traveller DPD, which broadly reflects the programme proposed in the 2015 Local Development Scheme but with adoption later in 2018. It is now expected that the draft DPD will be published for consultation in March/April 2017 (Regulation 18 consultation).
- 4.2. The [Winchester Gypsy and Traveller Accommodation Assessment](#) has been completed and provides evidence to support the pitch / plot requirements set out in the LPP2 Proposed Modifications (MM30 and MM31). The [Gypsies and Travellers and Travelling Showpeople Site Assessment Study](#) is now complete and has been published, although the pitch requirements to which it refers (based on the 2013 Travellers Accommodation Assessment for Hampshire) have been superseded by the 2016 Accommodation Assessment. A further 'call for sites' has been published (in parallel to consultation on the Proposed Modifications) to make sure no potential sites have been missed.
- 4.3. The Council maintains its view that it is better to deal with traveller site allocations in a separate DPD rather than to delay LPP2 to include site allocations for traveller sites. The identification of sites is likely to be an extensive and contentious process that would require new policies which have not yet been drafted or subject to consultation. The inclusion of site allocations in LPP2 would, therefore, add significant delays which would have implications for the delivery of the other LPP2 allocations, and for the Council's ability to put in place up-to-date development management policies.
- 4.4. The Council has, therefore, updated its [Local Development Scheme](#) and published formal notice in October 2016 of its intention to produce the Traveller DPD, which is the most appropriate way forward in the current circumstances.

Appendix 1 - Proposed LPP2 Policy DM4 and Explanatory Text

(Main Modifications 31 and 32)

6.2.19 The 2016 Winchester Gypsy and Traveller Accommodation Assessment identifies a need across that part of the District outside the South Downs National Park for about 15 additional gypsy/traveller pitches and about 24 travelling showpeople's pitches from 1 September 2016 to the end of the Local Plan period. The Assessment takes account of the Government's policy, contained in the Planning Policy for Traveller Sites, and reflects its definition of travellers (as revised 2015). Policy DM4 reflects the conclusions of the Accommodation Assessment and incorporates these into pitch targets for gypsies/travellers and plot targets for travelling showpeople. The City Council has also, in conjunction with East Hampshire District Council and the South Downs National Park Authority, assessed potential sites for traveller accommodation.

6.2.20 Policy CP5 of LPP1 is a criteria-based policy that will be used in conjunction with policy DM4 to determine planning applications and to assist in allocating sites through the Gypsy and Traveller Site Allocations DPD which the Council is committed to producing. Sites will be allocated in this DPD, as necessary to meet the targets set in policy DM4, using the criteria established by policy CP5 and the Travellers Site Assessment Study. The Council aims to adopt the Gypsy & Traveller Site Allocations DPD in 2018.

Policy DM4 – Gypsies, Travellers and Travelling Showpersons

Planning permission will be granted for pitches to meet the accommodation needs identified for the area covered by this Plan for people falling with the definition of 'travellers', of about 15 gypsy/traveller pitches and about 24 travelling showpeople's plots between 2016 and 2031.

Sites will be identified and consent granted as necessary to meet identified traveller needs in the Plan area which could not otherwise be met, subject to the criteria outlined in policy CP5. Proposals for transit sites will be considered on an individual basis, following the criteria of CP5.