



Craven Local Plan Examination

Matter 10

Statement by Craven District Council

Matter 10 – Gypsies, Travellers, Showmen and Roma
(Policy H3)

Hearing Day 6 – Thursday 18th October 2018 (Week 2)

September 2018

Issue 1 – Need for Accommodation

Q1. The Craven District Council Traveller Housing Needs Survey (Ho016) is dated January 2013, with the information and surveys underpinning the findings from 2012. Is the identified need for residential pitches over the plan period justified by appropriate, available and up-to-date evidence?

Council's Response

1. The identified need for residential pitches in Craven is based on the following evidence:
 - a) Traveller Housing Needs Survey -Jan 2013 (Ho016).
 - i) This survey is based on the CLG document 'Planning Policy for Traveller Sites '(2012), the NPPF (2012), the Gypsy and Traveller Accommodation Needs Assessment Guidance (Oct 2007) and other relevant legislation and guidance as detailed on page 5 of the survey.
 - ii) The 2013 survey is based on qualitative interviews with the gypsy and traveller community together with engagement with council officers from Craven and neighbouring councils, members and other stakeholders. Quantitative information was derived from a by-annual survey of gypsy and traveller caravans conducted by local authorities including Craven District Council in January and July of each year. Page 12 of the survey shows the results of this caravan count from January 2007 to January 2012.
 - iii) The survey concludes that the estimated provision required for gypsies and travellers is one pitch on a private site in the northern part of the district, which is for a family who will see their temporary planning permission expire in 2015. Consent was granted in May 2016 by Craven District Council for the use of land for stationing of up to 2 caravans for residential occupation/use by a single gypsy family and use of existing buildings as utility block/stables and storage barn (retrospective application) at Clay Barn, Bentham Moor Road, Burton-in-Lonsdale (Ref. 08/2015/15917). This consent relates to the retention of the existing development and use of land on a permanent basis by the applicant and his immediate family.
 - b) Technical Note - Gypsy and Traveller Household Formation and Growth Rates 2015 (Ho014)
 - i) This note concludes that the best available evidence suggests that the net annual Gypsy and Traveller household growth rates is 1.5% per annum and that the often assumed 3% per annum rate is unrealistic. Paragraph 45 of the Technical Note states that "*Some local authorities might allow for a household*

growth rate of up to 2.5% per annum to provide a 'margin' if their populations are relatively youthful; but in areas where on-site surveys indicate that there are fewer children in the Gypsy and Traveller population, the lower estimate of 1.5% per annum should be used."

c) Gypsy and Traveller Analysis 2017 (Ho003)

- i) This document has been prepared to update the information contained in the Traveller Housing Needs Survey (2013) up to 2017 specifically relating to:
 - 1. Number of caravan sites in Craven 2011-2017
 - 2. Number of caravans on sites in Craven 2011-2017
 - 3. Number of unauthorised encampments 2010-17
- ii) The 2017 analysis concludes that there is no demand at present for additional pitch provision; however it is important that existing supply is retained to satisfy current and future demand.
- iii) Based on the existing evidence used to underpin local plan policy H3 it is considered that the evidence is appropriate, available and up to date.

Q2. Since publication of the Traveller Housing Needs Survey the National Planning Policy for Traveller Sites (PPTS) has updated the definition of 'gypsies and travellers' and 'travelling showpeople'. Previously included within the definition were those who had ceased to travel temporarily or permanently for reasons of health, education or old age. How has this change been taken into account as part of the assessment of needs?

Council's Response

- 1. The Traveller Housing Needs Survey (2013) Jan 2013 (Ho016) has not been revised to take into account the updated definition of 'gypsies and travellers' and 'travelling showpeople' as set out in PPTS Aug 2015.
- 2. Taking the updated definition in account it is necessary to therefore differentiate need into a 'cultural' need which reflects the need set out in 2016 Housing and Planning Act section 124 and a 'PPTS need' which applies the PPTS policy to households to establish the need set out in the 2015 PPTS. It is assumed that the Council is required to deliver any additional pitch need which reflects the 'PPTS need' and other need should be addressed through the housing requirement. The Craven Strategic Housing Market Assessment (SHMA) Update 2017 (Nov 2017) (Ho013) considers the housing need of the overall population and therefore takes account of the housing needs of different groups including the gypsy and traveller community in Craven who have ceased to travel permanently for reasons of health, education or old age and who are now not included in the updated definition contained in the PPTS (August 2015).

3. As the actual level of pitch need is very low in Craven based on the latest available evidence (which predates the 2015 PPTS), it is recommended that the need for one pitch over the plan period remains a reasonable and proportionate response to need arising from the Gypsy and Traveller community to meet PPTS need.

Q3. How have other changes in circumstances been reflected since the initial assessment was carried out? Are the findings of the 2013 study still accurate and robust?

Council's Response

1. The Traveller Housing Needs Survey Jan 2013 (Ho016) looks forward to 2028 and sets out evidence relating to the housing needs of the traveller and gypsy community for the majority of the plan period. The Craven Local Plan will be reviewed no later than 5 years from the date of adoption, as required by the NPPF (2018). The existing gypsy and traveller evidence base would be updated as part of this review process.
2. As stated in the answer to question 1 above, the 2013 Traveller Housing Needs Survey has been updated by the Gypsy and Traveller Analysis 2017 (Ho003), in terms of setting out the updated position at 2017 in terms of number of caravan sites, caravans and unauthorised encampments in Craven.
3. Craven District Council considers this evidence to be in line with the requirements of section 7 of PPTS (Aug 2015).
4. As such, it is considered by Craven District Council that the findings of the 2013 study and subsequent updates are accurate and robust.

Q4. The Gypsy and Traveller Analysis 2017 (Ho003), paper states that caravans on unauthorised developments has been on the increase since 2010, and that since 2011 caravan demand has exceeded pitch supply. Taking this into account, what is the justification for the conclusion that no demand currently exists for additional pitch provision?

Council's Response

1. In terms of number of caravans on unauthorised developments, the Gypsy & Traveller Analysis 2017 (Ho003) shows that 1 site at Snaygill, Skipton is unauthorised; however the site is tolerated by Craven District Council. In January 2015 the number of unauthorised sites increased to 2 due to the fact that the temporary planning permission on the Clay Barn site, Burton In Lonsdale expired and permission for the permanent use of the site was approved in May 2016. The Traveller Housing Needs Survey 2013 (Ho016) identifies a requirement for one pitch on the Clay Barn site when the temporary permission expires. As permanent planning permission was granted in May 2016 there

would no longer be this pitch requirement. As such the analysis (Ho003) concludes that there is currently no identified need for additional Gypsy & Traveller site provision in Craven.

2. In terms of caravan demand and pitch supply, the analysis shows that since Jan 2013 (not from 2011 as stated in the question) the demand for caravans has exceeded pitch supply. The analysis explains that this is due to the fact that:
 - a) The Clay Barn site is counted as one pitch but accommodates 1 caravan and 1 mobile home (the consent on the site is for the stationing of up to 2 caravans for residential occupation/use by a single gypsy family (Ref. 08/2015/15917).
 - b) The Bold venture site has single caravan pitches, but households may have more than one caravan per 'pitch'.
3. This evidence therefore shows that within Craven single pitches are being used to accommodate more than one caravan. As such 1 pitch does not always equate to one caravan, which explains the graph presented relating to the number of caravans and pitch supply presented in the Gypsy & Traveller Analysis 2017 (Ho003) and contributes to justifying the overall conclusion of this analysis that no demand currently exists for additional pitch provision.
4. Given the evidence set out above and contained within the Traveller Housing Needs Survey 2013 (Ho016) and the Gypsy and Traveller Analysis 2017 (Ho003) the conclusion that currently no demand exists for additional pitch provision is justified.

Q5. The Craven District Council Traveller Housing Needs Survey refers to Gargrave as a stopping point for gypsies and travellers en-route to the Appleby fair. With this in mind how has the need for transit provision been taken into account, and how is it reflected in the Local Plan?

Council's Response

1. Paragraphs 3.18 – 3.30 of the Traveller Housing Needs Survey 2013 (Ho016) sets out the information gathered from CDC officers and a representative of Gargrave Parish Council has provided relating to transit provision in the village for gypsy and travellers en-route to Appleby Fair. The survey concludes that there is overwhelming support for the provision of a transit site during Appleby Fair to be located as near as possible to the traditional stopping places.
2. Paragraph 6.30, on page 177 of the Craven Submission Draft Local Plan states that

“ There are traditional, informal stopping-off points used by travellers en-route to and from the Appleby Horse Fair (held during the first week of June), which provide for the temporary needs of gypsies and travellers passing through the area. Whilst the current evidence concludes that more formal arrangements—

such as the development of permanent transit sites—are unlikely to be justified or necessary, there may be opportunities for travellers, the district council and parish councils to collaborate on better management of temporary stop off sites. Alternatively, local communities may wish to consider the opportunities offered by neighbourhood planning, including the possibility of designating land and setting local policies for a transit site within a Neighbourhood Plan.”

3. Local Plan policy H3: Gypsies, Travellers, Showmen & Roma supports extensions to existing private sites or entirely new private sites (including temporary, permanent or transit sites) to meet need providing criteria C) to i) are met.
4. It is considered by the Council that local plan policy H3 recognises the evidenced need for transit provision in Gargrave during the period of Appleby Horse Fair and would support this need to be met providing any proposal meets the requirement of policy H3 and any other relevant local plan policies.

Q6. In order to meet the housing requirements of Gypsies, Travellers, Showmen and Roma Policy H3 states that the Council will maintain an adequate supply of existing sites. How will this be achieved? Are the existing sites identified in the Local Plan and/or the Policies Map?

Council's Response

1. An adequate supply of existing sites will be maintained by the Council through the updating and review of the existing evidence base relating to the needs of the Gypsies, Travellers, Showmen and Roma community within Craven. The Gypsy and Traveller Analysis 2017 (Ho003) will be updated to monitoring of the existing supply of sites through bi annual caravan counts and an assessment of unauthorised encampments carried out by Craven District Council in Jan & July each year. The Technical Note - Gypsy and Traveller Household Formation and Growth Rates 2015 (Ho014) will also be updated and review as necessary.
2. Existing sites are not identified in the Local Plan or Policies Map. There is no requirement to identify existing sites under the Department for Communities and Local Government Transparency Code (2015) or under the Information Commissioner's Office guidance in relation to the Council's Mandatory Publication Scheme: Freedom of Information Act, which commits an authority to make information available to the public as part of its normal business activities. The identification of Gypsy/Traveller sites, discloses something about the potential residents of such sites, for example, it will reveal something about their ethnic origins and disclosure of this type of personal data, can make the individuals who reside in such sites more vulnerable to unwelcome intrusion in their private lives and possible harm.

Issue 2 – Proposals for Gypsies, Travellers, Showmen and Roma Accommodation

Q1. How will the compatibility of land uses be considered for the purposes of Policy H3 g)? Is this clear to decision-makers, developers and local communities? Is the policy effective?

Council's Response

1. Any proposal for extensions to existing private sites or entirely new private sites, including temporary, permanent or transit sites, will be assessed during the Development Management process to establish if the proposals would have any adverse impact on both the gypsy and traveller community on the site and existing neighbourhood land uses, and whether the proposal relates well in scale and location to neighbouring settled communities. It is therefore considered that criterion g) of policy H3 is clear to decision makers, developers and local communities and that the compatibility of land uses will be considered effectively against criterion g).

Q2. How does Policy H3 take into account the effect of a proposal on the character and appearance of the area?

Council's Response

1. Criteria c) to i) clearly sets out the requirements for extensions to existing or proposals for new gypsy, traveller, showmen and Roma sites. The effect of a proposal on the character and appearance of the area will be assessed through the application of these criteria, specifically criterion g) which sets out the requirement for proposals to relate well in scale and location to the existing character and appearance of the area in terms of neighbouring settled communities.
2. Proposals are also required to accord with all other relevant local plan policies including ENV3: Good Design and ENV2: Heritage. Policy ENV3 aims to ensure that growth in Craven results in positive change, which benefits the local economy, environment and quality of life through following the design principles set out at criteria in the policy. These include the requirement for the design of proposals to respect the form of surrounding buildings (criterion b); be legible and create a sense of place by maintaining, enhancing and creating good townscapes (criterion c) and seek to enhance local distinctiveness (criterion d). Policy ENV4 aims to conserve and enhance Craven's historic environment, which is made up of designated and non-designated heritage assets by ensuring that proposals conserve those elements which contribute to its significance and avoid undermining the significance of such assets or their contribution to the character of a place.

Q3. Is it clear to decision-makers, developers and local communities what “any potential impacts on the environment” relates to? Is the policy effective?

Council’s response

1. Criterion i) of policy H3 sets out the requirement that proposals will be supported where any potential impacts on the environment can be avoided or adequately mitigated. This criterion states that in addition to this requirement, proposals must have regard to the requirements relating to protection of both the natural and built environment set out in other relevant local plan policies. Local Plan policies relating to the environment are ENV1 to ENV13 and are set out from page 114 of the submission draft local plan (March 2018). It is considered that policy H3 together with the local plan policies relating to the environment sets out clearly how proposals will be assessed in terms of any potential impacts on the environment. Policy H3 together with policies ENV1 to ENV13 would effectively assess the potential impacts of any proposal on the environment.

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