



Response to

Planning for Traveller sites
proposed Planning Policy Statement

London Gypsy and Traveller Unit

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The London Gypsy and Traveller Unit has been actively supporting Gypsies' and Travellers' involvement in the development of the London Plan through

- Building capacity for direct involvement through consultation meetings on both the replacement London plan and the 'Minor' Alteration. This is evidenced by the numbers of submissions from Gypsies and Travellers.
- Administering and maintaining the London Gypsy and Traveller Forum, a GLA supported stakeholder organisation attended by Gypsies and Travellers.

The Unit is both a community development organisation and a regional strategic organisation. It seeks to support Travellers and Gypsies living in London, to have greater control over their lives; to influence decisions affecting their lives; to improve their quality of life and opportunities available to them; and to challenge the discrimination they routinely experience. It uses this detailed local and regional experience to contribute to national consultation and debate, and has done so over the past 29 years.

LGTU has wide experience of accommodation issues. It was actively engaged in fighting roadside evictions, negotiating tolerated sites and campaigning for official sites in North and East London throughout the 'eighties and early 'nineties during which time eight new sites were built.

When the Criminal Justice Act of 1994 repealed the duty to provide sites and increased eviction powers, roadside families were forced into housing and many boroughs began to close sites. LGTU fought these closures. It also started an advice service for housed travellers to respond to the loss of extended family support for these often very young families; the difficulties of coping with bricks and mortar living; and the hardships of temporary accommodation.

Since 2004, LGTU has been actively supporting residents in the development of the four 'Olympic replacement' sites and those on the site to be relocated because of Crossrail, as well as working for the provision of new sites under the Housing Act.

Throughout, the Unit has continued to work with young Gypsies and Travellers on sites and in housing.

This submission has been informed by our long term involvement with the Gypsy and Traveller community both on sites and with those in houses as well as the specific feedback at consultation meetings on the London Plan.

1 Introduction

This response focuses on 5 particular issues

- 1.1 A comparison of the proposed policy on Traveller sites (the PPS) and **the draft National Planning Framework (NPPF)** shows that the PPS will need to be altered significantly to iron out inconsistencies. Differences that remain will be thrown into relief and need to be more explicitly justified by the Government taking into account the spirit of the Public Sector Equality Duty. Here we present an outline note on this comparison (section 2) and a detailed cross checking (appendix 3). Most of this discussion is technical although it has strong policy implications
- 1.2 Section 3 considers the **PPS/NPPF policy differences** that LGTU believes are likely to remain, comments on their value and makes relevant proposals.
- 1.3 The abandonment of **GTANA's flies in the face of** evidence based planning. This is discussed in section 4.
- 1.4 In numerical terms it is the families in bricks and mortar housing who will be worst affected by the government's choice of **definition of Gypsies and Travellers**. Section 5 describes the plight of many housed Gypsies and Travellers and argues for their needs to be included in the policy.
- 1.5 The Government states that its proposals are based on **localism** - the assumption that Local Planning Authorities (LPAs) will get the required pitches/yards developed more quickly and effectively if they are left to their own devices and the 'settled community' is more involved. This flatly contradicts the long and wide experience of Gypsies, Travellers and Showmen, together with support organisations. Section 6 amplifies this point.

Appendix 2 gives the responses to the particular questions asked in the Government's consultation document.

2 The proposed policy on Traveller sites (the PPS) and the draft National Planning Framework (NPPF)

The Government appears to have said that as soon as the PPS is finalised and published it will be included in the National Planning Policy Framework and cancelled as an independent document. Here we argue that the changes to the PPS needed for amalgamation – both streamlining and resolving inconsistencies with the Framework – will be substantial enough to require a further round of consultation. Furthermore, rather than 'finalising' pitch/yard policy early with the publication of the PPS, this strategy will prolong uncertainty until the amalgamated Framework is issued.

This section is concerned only with changes that might take place ***purely because of the amalgamation***, not because of discussions on what is good policy for Gypsies, Travellers and Show-people.

While the PPS deals with pitches/yards, the current draft NPPF deals with generic planning issues and a range of land uses, housing being the most relevant to our interests. On amalgamation pitches/yards will be just one of the land-uses covered by the NPPF and should be subject to all its generic statements on planning policy and procedures.

The PPS is currently 6¼ pages long. On amalgamation it has to be proportionate to (say) the housing sections that have 3 pages and the Framework's overall length of 60 pages covering all English planning issues. Is 2 pages about right?

We estimate that at least 17 out of the 26 paragraphs of the current draft PPS are likely to *change significantly solely because of its amalgamation with the NPPF*. But it could be more or less. The truth will out only when the amalgamated NPPF is published. Further consultation at this stage will be essential.

For some topics there are large differences between the PPS and the NPPF.

- Some of these are more clearly intentional: The Government wants some things to be specific to the planning of pitches/yards. We suggest that there are probably 9 of these (Table 1 below), and consider them further in the next section.
- In other cases it is much less clear that the differences are intentional (Table 2). In some cases they appear random and purposeless (2, 3, 21). Others are very difficult to gauge. We also consider these in the next section, but more briefly.

On other topics the PPS and NPPF are similar (Table 3), though they are very seldom identical even when the inconsistencies are unimportant. It is reasonable to expect most of these PPS paragraphs to be superseded by the Framework's existing generic statements. However some duplication might be kept to stress the importance, in the minds of the Government, of particular generic factors to pitches/yards. LGTU argues that all these statements in the PPS should be superseded by the relevant NPPF paragraphs. We do not consider these further here, except in the detailed comparison of Appendix 3.

The only sensible way to make the consolidated Framework coherent is to delete the sections in the PPS where the differences from the NPPF are unimportant and then, for the rest, to say something that means "Planning for pitches and yards will be treated differently from housing and other development in the following ways".

This list (or its equivalent) in the draft consolidated NPPF must be open to further consultation.

Table 1 - Intentional differences between the PPS and NPPF?

We judge that these paragraphs are the most likely to reflect Government thinking on how planning for pitches/yards should be different from other forms of development. The next section considers these in further detail and gives LGTU’s proposals for each.

para	
4	Warm words for all involved
8	LAs to assess need <i>“in the light of historical demand”</i>
10	Local plans should specify criteria for land allocation even where no need is identified
16	Try to have sites that mix residential and business use
17	Show-people need mix-use yards
19	Developers of major schemes to have some responsibility for relocating displaced travellers.
24	How to employ planning obligations on the use of a site to overcome objections
25	LAs should determine applications from travellers without local connection
26	If they don’t have the land supply planned, LAs should (only) “look favourably” on an application

Table 2 - Unintentional differences between the PPS and the NPPF?

This table gives the PPS policies which, in our view, are less likely to represent the Government’s considered opinion on ways in which planning for Travellers sites should be different from other land uses. However, in the consolidated NPPF they might remain related only to pitches/yards, be deleted, or expanded to apply to all development. **These are considered briefly in the next section.**

para	
2, 3	An odd selection of statements about the planning process generally
6	Evidence of need should be robust .
7	LAs to monitor and critically analyse planning decisions
9	Suitable site locations should contribute to creation of sustainable, mixed communities LAs to include specific sites in 15 year land supply Arcane statement on generic land supply policy
12	In rural and semi rural settings sites must not “dominate nearest settled community”
15	If land removed from green belt is used for a Travellers site it must be specifically allocated in development plan as such.
20	When deciding a planning application, the LA should consider b) the availability of alternative accommodation for the applicants c) other personal circumstances of the applicant
21	Arcane statement on generic land supply policy
22	LA should strictly limit new development in the open countryside
23	LA should look favourably at applications that “involve the development of previously developed, untidy or derelict land”

Table 3 Similarities between the PPS and the NPPF

LGTU argues that all these statements in the draft PPS should be superseded by the generic paragraphs in the NPPF. In the consolidated NPPF they might remain specifically linked to pitches/yards (implying a particular importance). More is said about these in Appendix 3.

para	
5	Authorities to do their own needs assessment Authorities to collaborate Access to education, health, welfare and employment Green belt protection Due regard to protection of local amenity and local environment
9	15 year land delivery definition of deliverable land protect local amenity and environment
11	Sites to be sustainable economically, socially and environmentally
14	Green belt protection
15	Green belt protection
23	Site design issues
20	a), d) aspects of considering a planning application

Other issues

Para 1 of the PPS will become redundant

Paras 13 and 18 fall unless the NPPF is amended to replicate the policy on Rural Exceptions Policy in PPS3 that will be superseded by the NPPF.

3 Responses to the proposed policies

3.1 Responses to PPS paragraphs

Behind many of LGTU's proposals lies the overarching proposal that planning for Traveller sites is aligned more closely with that for other forms of development, housing in particular; and generally with all the more generic paragraphs of the NPPF. So LGTU proposes that NPPF paragraphs supersede similar PPS paragraphs in all cases where it is not to the detriment of Gypsies, Travellers and Show-people.

PPS

Para LGTU response

4 Welcome

6a Delete reference to "early engagement" (of settled community)

The settled community already benefits from a disproportionate share of power to influence plan making and development management (NPPF parlance). 'Early engagement of the settled community' alone will exacerbate this imbalance. It will do nothing to resolve tension and aid pitch provision unless it is backed up by a well resourced programme of conflict resolution in which the Gypsy and Traveller community is given a leading role.

6b Delete "in the light of historical demand"

see 8 below

6c Delete all, and reference to 'robust' in particular

All Superseded by NPPF 27, 28

Robust:

There is no reference to 'robust' evidence in the draft NPPF. Evidence for other policies should not be less 'robust' than for Gypsy and Traveller policy. In this respect there is no justification for planning for Travellers sites to be inconsistent with the rest of the NPPF.

It is not possible sensibly to judge or assess 'robustness' without a set of benchmarks or practice guidance. This is so both for the LPA in collecting the data and for the independent inspector in assessing it (NPPF para 48). The withdrawal of GTANA guidance will lead to major problems in this respect.

Arguments for retaining GTANA's are given in Section 3.

7 Welcome

8 Delete all, and "In the light of historical demand" in particular

All Superseded by NPPF 28, 109, 111

In the light of historical demand

- 1) The difference between NPPF paras 28 & 109 on the one hand and this particular phrase on the other is against the spirit of the Public Sector Equality duty.
- 2) In normal planning parlance "need" is most closely associated with affordable housing, "demand" with market housing. So is "need in the context of demand" about affordable sites, private sites or the total? This confusion will lead to poor, protracted planning.

3) Also, the word "historical" is too vague to be useful. Such vagueness at the core of policy will lead to significant uncertainty and delay.

4) "Historical" could refer to trends.

Great care has to be taken with trend data because of significant data problems with the caravan count and of planning applications data. Appendix 1 gives examples of past problems with these.

5) But the word historical could be used to refer, loosely, to some concept of the 'collective folk memory' or 'perceptions' held by a settled community or LPA. This is extremely dangerous, being entirely opposed to evidence based planning (NPPF para 27) and the core values of NPPF (para 14, for example).

The memory will probably be wrong anyway.....

- That Enfield was once a 'Gypsy Borough' in the sense of being a traditional stopping place is entirely forgotten in current attitudes.
- Because of staff turnover, LB Bromley was unable to find its 2 year old data on housed travellers and pitches. It had to retrieve the data from the company that conducted the GTANA.
- Consultants found that ownership of a long-standing (supposedly) Bexley council site "could not be clearly determined".

9 Delete all, and "including identifying specific sites" in particular, but excluding d)

All Superseded by NPPF 10, 19, 24, 46, 47109, footnotes 5 &6

In the light of historical demand

The significantly greater demands this difference places on planning for Travellers sites are unrealistic.

9d Amend

It is just these kinds of words that tardy LPAs use to set pitch standards at such a level that they cannot be met (see 10 below).

Add "only where sufficient developable land is available to meet the pitch requirements given in the local plan".

10 Amend

Add "Criteria should not be so restrictive or extensive that in practice it is impossible of virtually impossible for an applicant to comply with them."

Experience at Local Plan enquiries over the last few years has shown this to be one of the most important arguments in making policies on pitch/yard effective.

11d Delete

Impossible for the Local Planning Authority to ensure this policy result

12 Delete

There is no similar statement in the NPPF for other forms of development, neither is there any justifiable reason for the policy on Traveller sites to be different in this respect. It is against the spirit of the Public Sector Equality duty.

15 Delete all, and last sentence in particular

All Superseded by NPPF 137-139.

Last sentence

This appears to be similar to para 140:1st bullet. Inasmuch as it is inconsistent it is unjustified and against the spirit of the Public Sector Equality duty.

16 Amend

It is just these kinds of words that tardy LPAs use to set pitch standards at such a level that they cannot be met (see 10 above).

Replace "wherever possible" by "where such pitches are appropriate and do not detract from meeting pitch total requirements".

17 Retain

18 Amend

Alter to allow flexibility in rural exceptions policy for Gypsy and Travellers sites and Showmens' yards to make it compatible with the spirit of NPPF paragraphs 19:6th bullet and 81.

20b&c Amend

There is no statement in the NPPF for any other form of development that is remotely similar to this. As it stands the PPS/NPPF difference is clearly unjustifiable and against the spirit of the Public Sector Equalities Duty.

It might be that the paragraphs can be retrieved and even serve a useful purpose if prefaced by words such as "Where permission would only be granted exceptionally, the LPA should consider"

21 Delete

This is an arcane statement of general land supply policy. If it is to be included in the NPPF it should be in para 109. It certainly has no particular association with the policy on Travellers sites.

22 Delete 1st sentence

This statement is significantly more harsh than NPPF paras 112 and 113. There is no justifiable reason for the planning of Traveller sites to be different in this respect. It is against the spirit of the Public Sector Equality duty.

Retain 2nd sentence

Delete 3rd paragraph

Repetition of para 12 above.

23a Delete

There is no statement in the NPPF for other forms of development which is even remotely similar, neither is there any justifiable reason for the policy on Traveller sites to be different in this respect. As it stands this is clearly against the spirit of the Public Sector Equality duty.

25 Delete

repeat of part of 25

26 Delete

"From [the date.....into effect]": LPAs have had some 5 years notice that they will need to plan for pitches and yards. 5 years is adequate.

"Consider favourably": This is not consistent with NPPF para 110 final sentence. There is no justifiable reason for the policy on Traveller sites to be different in this respect. As it stands this against the spirit of the Public Sector Equality duty

3.2 Additional issues

Retain GTAs

This is taken further in the next section

Definitions

See section 5

Planning policies for Travellers sites to be *strategic* local plan policies

The PPS/NPPF should state that NPPF references to housing policies being "strategic local plan policies" (paras 17, 23) include the policies for Travellers sites; and that the reference to 'strategic local plan policies' in NPPF paras 50 and 51 is to be interpreted in this way.

Note on Rural Exception Policy

Paras 13 and 18 will fall unless the NPPF is amended to replicate the policy on Rural Exceptions Policy in PPS3 that will be superseded by the NPPF.

4 Retain GTANAs

Specific reference to GTANAs should be retained:

- 1) The Government has put forward no reason why the GTANA methodology, in itself, is unacceptable. The current guidance on GTANAs is NOT intrinsically linked to 'top down targets'. Indeed the guidance states that they should be "LED BY LOCAL AUTHORITY housing Departments" The guidance is sensible and unexceptional.
- 2) In relation to housing, the Government is also opposed to 'top down targets' yet it is retaining the guidance (NPPF para 28). An inconsistency here would be against the spirit of the public sector equality duty.

One option, preferable to losing the GTANA guidance altogether, is to incorporate it as an appendix to the SHMA guidance.

- 3) The existing GTANA's are a valuable set of data which the current draft PPS encourages LPAs to put to one side. This is a waste of public resources, a travesty of evidence based planning and contrary to the core values of the NPPF.
- 4) The GTANA methodology has been tested at a number of public enquiries. Many useful lessons have been learned and a degree of consistency achieved.

Two interrelated lessons that this has taught are that assessments benefit strongly

- from collaborative working at County, subregional level or London level. The London GTANA has been commended for the consistency and rigour that came with its regional level. The poor quality of LB Bexley's go-it-alone assessment is evidence of this.
 - by being consistent between LPAs (again, a need for national guidance on practice).
- 5) In London, LGTU experience shows that Boroughs do not have any better information on their Gypsy and Traveller communities than the GTANA and the assumptions they make are often unrealistically low.
 - 6) All this is set against a general background of poor data on Gypsies, Travellers and Travelling Show-men

"there is a high level of uncertainty regarding the quality and consistency of the information provided by boroughs over the past ten years regarding sites" [Entec 2010 p19]. There is still a lot of ignorance about how many pitches there are currently. This calls for a lead in both assessment and monitoring. The returns on the Caravan count are appalling and the most significant difficulty for the GTAA consultants in London was getting useable data out of the Boroughs. Two examples of the effects of this are given in appendix 1.

In particular, pitch closures and termination of planning permissions have gone unnoticed. However they are going to continue and they will have a dramatic long term effect on overall pitch numbers.

5 Helping Local Authorities to act

By laying down stronger expectations of action by Districts and others, the Government can help them withstand the pressures of local attitudes, ignorance and prejudice. This can be in the form of positive statements on inclusive Local Plan statements and the conduct of Housing Market Assessments¹. LGTU welcomes these statement in the PPS and asks that that they be taken further through positive action.

Simply placing reliance on LPA's and their local communities will be a severe blow to this most disadvantaged social group.

"Policy initiatives and political systems that are designed to promote inclusion and equality frequently exclude Gypsies and Travellers. This includes political structures and community development." [Cemlyn et al 2009]

5.1 Pitch provision and prejudice

Prejudice is the most significant barrier to meeting the pitch needs of Gypsies and Travellers. As a CRE study [2006 p37] notes

"Because of these difficulties (*of local prejudice*), many councillors said that the statutory duty to provide public sites should be reintroduced...."

There is a substantial body of research that gives evidence that the prejudice confronting Gypsy and Traveller communities works its way, possibly via strong pressures on Councillors, through to fewer authorised pitches. We give just one example, from the Good Practice Guidance of the Royal Town Planning Institute:

"Development management planners are often under pressure to consider racially motivated and discriminatory views and representations relating to Gypsy and Traveller communities. The incidence and adverse effects of such representations have not necessarily received the systematic attention of those working to eliminate discrimination. There are still circumstances where politicians, practitioners and members of the public apparently consider openly biased, discriminatory and unfounded remarks about Gypsies or Travellers as individuals or communities to be somehow legitimate or acceptable, in circumstances where similar remarks made about other black or ethnic minority communities would be immediately recognised as discriminatory and unacceptable." [RTPI 2007]

This is supported by

- CRE 2006 on Equality and Race relations: see, eg, chapter 5 on planning
- DCLG [2007c] on site provision and enforcement: see, eg, pp52-54 on political leadership.
- Cemlyn's etc al [2009] on inequalities: see, eg, the executive summary
- Brown and Niner [2009] on recent history of site provision: see, eg, Ch8 on barriers to provision of pitches

This can often influence Councils' policies, categorising Gypsies and Travellers as 'the other', pitched against "overall housing requirements" or "wider ranging need" or "residents"²; or that "wider housing targets would be compromised"³; that sees building 5 pitches over ten years instead of 3 as to "prioritise gypsy and traveller sites over conventional housing"⁴.

¹ A web search finds no mention of the Gypsy and Traveller Community in various of the Borough and sub-regional housing assessments and strategies.

² These can be found in the GLA papers for the 1st Alteration

³ London Assembly Conservatives [2010]

⁴ Submission to the DLRP EiP, LB Islington

5.2 Inaction

Waiting for these pitches to actually start being built is going to seem like forever"

All too often, LPA's are delaying preparation for implementation and delivery. "I really believe that this is not the way forward as down through the years it has always come to the stage when we are going forward that something like this happens. It has been always seemed that the problem has been passed on from one government to the next" [Mahoney M 2010].

In London there was a net gain of only 5 pitches during 2007-09. There were only planning approvals for 3 pitches in the 08/09 [see appendix 1] and no successful bids for London's £2m HCA grant allocation in 09/10. The rate of build continues to be very slow.

The policy will be unfair between LPAs and groups of Gypsies and Travellers: LPAs which have a small Gypsy and Traveller population because of a history of harsh policies and under-provision will be rewarded by having low assessed 'local need'.

Barnet closed its only site in 1978, Enfield and Harrow in 2000, Lewisham 2008. If they follow the draft PPS all will now set targets of zero.

Some other particular examples:

- Lewisham's replacement site for 5 closed pitches has been approved and funded but has sunk without trace;
- LGTU agrees with LB Bromley's complaint that "boroughs capable of accommodating pitches but who have historically provided very few pitches will continue to avoid making provision." But still a private site in Bromley with permission for 25 pitches is standing empty and undeveloped.
- Search for potential travellers sites removed from London's SHLA at the request of 4 boroughs. 4 other bodies pressed for them to be incorporated

5.3 LGTU experience

As an LGTU worker explains:

Gypsies and Travellers in London know from their experience that the majority of local authorities do not know the needs of their community. They have little or no knowledge of their history of travelling and settling in the area or their current needs. Very often when Travellers contact their council directly to ask about vacancies on the site, getting their name on the waiting list or information about plans for future site provision, they find it very difficult to get any response at all. At LGTU we frequently have the same experience when contacting council to find out who is responsible for the management of their site or more strategic issues such as policies and future provision. This was illustrated in our 2009 telephone survey of London boroughs that revealed that very few operate waiting lists – a standard practice for housing and an important information source.

There is an assumption by the government that local authorities know the needs of Gypsies and Travellers in their area and what they call the 'historical demand'. We know from our experience that this is clearly not the case and also that there is very little commitment or political will to build any new pitches for Gypsies and Travellers in their borough. This is illustrated by the experience of Gypsies and Travellers in two boroughs:

Enfield

A Romany Gypsy in her letter to Boris Johnson describes how Enfield closed its site with no replacement of the pitches and finishes by saying *..Enfield used to be called the Gypsy borough but they got rid of us and pretend we don't exist which isn't right or fair. Enfield should built as many pitches as was closed down which was 15'*

This experience of Enfield's approach to the needs of Gypsies and Travellers is shared by housed Travellers living in the borough who also have the strong belief that they 'don't exist' in the eyes of the council. An Irish Traveller living in the borough wrote to the council in October 2009 asking about the council's plans for new pitches and how she could get her name on a waiting list for a site. She has yet to receive a reply.

Newham

An Irish Traveller living in the borough wrote to the Mayor of Newham (Jan 10) asking about the council's plans for new pitches. The reply she received illustrated the council's lack of knowledge because the information she was given was incorrect. Additional pitches were not provided when the site was relocated from Clays Lane as this had always been a 15 pitch site and pitches have not become available 'due to internal movements'. The letter also showed no recognition of the urgent need for more pitches both for those families living on the Newham site or of the needs of housed Travellers in the borough. At the oral hearing on 20th July 2011, a resident of the Newham site described the long history of Gypsies and Travellers in the borough and how the council failed to give them any recognition or support when their site was facing relocation due to the London Olympic developments.

6 The Definition of Gypsies and Travellers: why housed Gypsies and Travellers must be included

The definition for "gypsies and travellers" used in the policy should be as for s225 of the Housing Act 2004 and laid out in Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (England) Regulation 2006.

- 1) As the Consultation document itself states "The housing definition is more pragmatic and wider and enables local planning authorities to understand the possible future accommodation needs of this group and plan strategically to meet those needs."
- 2) There is no justifiable reason for distinguishing between the pitch needs, of equal severity, of those on pitches and those in housing. For example, a significant number of Gypsies and Traveller families in housing are not there by choice, but are left no option given the lack of authorised sites and the 'no toleration' policies.

This appendix gives an insight into the plight of many Gypsies and Travellers who live in 'bricks and mortar' housing.

6.1 LGTU experience

The LGTU, through the advice and support that it has offered them since 1998, can confirm the alienation and deprivation that is suffered by many housed Gypsies and Travellers. The following are the types of problems faced by LGTU clients:

- Discrimination and harassment from neighbours, so that many families are frightened to self identify as Travellers. Children are often targeted.
- Discrimination and prejudice from housing officers, including refusal to deal with homelessness applications, public use of terms such as Pikey, leaving clients to wait for up to 5 hours.
- Social isolation from the support of the extended family. This is particularly difficult for young families who marry very young and in the past would have relied on the support of mother, aunts or older siblings. Travellers cannot rely on access to mainstream services for support.
- Mobility-Travellers in houses are more mobile than those on authorised sites. Sometimes they allow themselves to get into housing crisis, leading to eviction, or just move away in order to address their sense of alienation. Many of the larger families are put in the private rented sector where they have no security of tenure and get moved around often on a 6 monthly basis
- Poor literacy means that many families are severely disadvantaged in understanding communications from their landlord. They are rarely treated as vulnerable tenants
- Depression and anxiety, particularly amongst the women.

6.2 Other Studies

LGTU's experience is consistent with other pieces of research conducted into the living situations of Travellers and Gypsies. Among the many useful contributions, the report cited below is considered particularly pertinent given the geographical base for the study and the recent date of the work:

West London Housing Partnership's report '*Working with housed Gypsies and Travellers: A Good Practical Guide*' was published recently, having been referred to in a number of the submissions by the Boroughs.

1. Poor outcomes for housed Travellers, particularly women:

"There is considerable evidence of poor outcomes for Gypsies and Travellers living in housing, including homelessness, family breakdown and domestic violence. Health status is worse among housed Gypsies and Travellers compared to other Gypsy and Traveller groups, especially anxiety and depression, thought to be prompted by exposure to racism from neighbours and detachment from site-based support networks. *Isolation can be particularly intense for women who often lack employment-based opportunities to meet other people and spend much of their day-to-day lives in isolation rather than among a community on a site.*"⁵

2. Increased vulnerability to discrimination and racism in bricks and mortar accommodation:

"... particularly those in privately rented housing, reported living in poorly maintained housingThe move into housing was also perceived to put Gypsies and Travellers into a more vulnerable position when dealing with the settled community. Many felt that living in housing exposed them and their children to increased levels of prejudice because of lack of acceptance from wider society towards Gypsies and Travellers. This prevalent theme was discussed by nearly all of the participants."⁶

3. Difficulties in securing long-term, stable tenancies:

"Gypsies and Travellers often live in poor quality and overcrowded housing, with increasing numbers at the lower end of the private rented sector.... the high turnover of tenancies in Gypsy and Traveller households"⁷

4. Lack of mitigation of difficulties through adjustment to living situation over time:

"...others argued that negative psychological effects of living in housing did not always lessen with time. Such long-term effects included depression, reflected in higher suicide rates amongst housed Gypsies and Travellers, the high turnover of tenancies in Gypsy and Traveller households, and family breakdown."⁸

5. Poor access to (culturally appropriate) services in conventional housing:

"...detachment from the informal support networks available on sites which is especially missed when moving into housing, for example, with reading mail or getting advice about contacting service providers." (p17) "The relative invisibility of Gypsy and Traveller families once they make a move into housing is noted as one of the major barriers in providing support services."⁹

6. Identity and site dwelling:

"*Gypsy Identity and Orientations to Space* (2004) offers an insight into the political and social dimensions of living on sites and housing. The paper identifies the idea of 'the road' as central to the ideology and identity of Gypsies and Travellers; even for those who no longer travel connection to a travelling way of life is seen as key to asserting one's identity. The link with travelling and trailers, the paper notes, gives a sense of autonomy to travellers which allows them: "The power to transport themselves around, to define their own living space and reassert control"¹⁰

⁵ West London Housing Partnership, *Working with Housed Gypsies and Travellers: A good practical guide*, 2010, p13 (emphasis added).

⁶ *Ibid.* P47

⁷ *Ibid.*, p13, p37

⁸ *Ibid.*, p37

⁹ *Ibid.*, p17, p20

¹⁰ *Ibid.*, p32

Margaret Greenfields & David Smith's paper 'Travellers, Housing and the (Re) construction of Communities' provides further evidence of many themes discussed here, and reiterates the crucial role of living on sites in maintaining ethnic identity:

"Many housed Gypsy and Travellers experience the denial of ethnic identity acutely. Several expressed a concern that 'the worst thing is when you move into the house they count you as settled you're part of the population, you're not a Gypsy anymore because they put you into a house' and were concerned that their identity is not always recognised as 'authentic' by others, both Gypsies and Travellers and by the wider society."¹¹

University of Sheffield 'The Health Status of Gypsies & Travellers in England Report of Department of Health Inequalities in Health Research Initiative' 2004 recognises that "Those who rarely travel have the poorest health."¹²

¹¹ Greenfields, M, & David M. Smith, (2010) 'Housed Gypsy Travellers, Social Segregation and the Reconstruction of Communities', *Housing Studies*, 25: 3, p405.

¹² Parry, Glenys, Patrice Van Cleemput, Jean Peters, Julia Moore, Stephen Walters, Kate Thomas and Cindy Cooper, (2004), *The Health Status of Gypsies & Travellers in England Report of Department of Health Inequalities in Health Research Initiative*, p1.

Appendix 1 Examples of Data problems

Data Errors in London caravan counts

This appendix gives two examples (there are many more) of poor data leading to errors in published documents which have informed policy,

1. 10% (70 vans) increase in vans on social pitches in London Jan 2007-Jan 2008

Philip Brown and Pat Niner (2009). *Assessing local housing authorities' progress in meeting the accommodation needs of Gypsy and Traveller communities in England*. EHRC Research report: 13 Universities of Salford and Birmingham

Report uses unchecked table 1 figures. But closer inspection of Table 1 (vans on social pitches) shows

	January 2007	January 2008	<i>increase</i>
Harrow	3	54	51
Kingston	0	31	31
Brent	40	66	26
Southwark	45	62	17
Sutton	19	35	16
Bexley	10	0	-10
Tower Hamlets	34	27	-7
Total	151	275	124

***There was no change in pitch numbers in any of these Boroughs
There was a decrease in pitch numbers, not a 10% increase***

2. 5% (30 pitches) decrease in Council pitches in London 2000- 2010

Entec IIA on minor alteration 2 2010.

Report uses unchecked table 2 figures. But closer inspection of Table 2 (social pitches) shows

	2000	2010	<i>increase</i>
Bromley	0	36	36

But this was an acknowledged miscoding by Bromley when their sites were transferred to the RSL Novas for a period that included 2000.

***There was no change in numbers of affordable pitches in Bromley
so the reduction is 10%, not 5%.***

Misleading Planning Approvals data in London

year ended 31st March 2009

The recent Government publication of a new set of statistics on planning application for Gypsy and Traveller sites¹³ reports that 3 applications in London were approved last year. This appears to be good news:

Major applications (10 or more pitches)

Kingston-upon-Thames
Southwark

Minor applications (less than 10 pitches)

Lewisham

But these permissions will lead to only 3 new pitches, (max):

Kingston-upon-Thames: (net gain = 3)

Application (ref 08/10201) approved for reconfiguration of the Swallow Park site with 3 extra pitches (from 15 to 18 pitches in total) and some refurbishment. This is coded as a major application because it affects a total of 18 pitches.

Southwark: (net gain = 0)

Application (ref 08/CO/0102) approved for refurbishment of Burnhill Close site, with no change in pitch numbers from 6. This is a miscoding – it should be a minor application.

Lewisham: (net gain = 0 or -4)

Application (refs DC/07/67610 & DC/07/67610A) approved for development of Church Grove site with 5 new pitches. But this scheme has now been put on ice pending *another* borough survey of suitable sites, the fourth¹⁴ in recent years.

Indeed, since this development was designed as a necessary replacement for a site needed for regeneration¹⁵ whose last four pitches were being closed just as the approval was granted, it can be claimed that this permission was instrumental in a net loss of 4 pitches.

¹³ DCLG, 26th June 2009, Planning Statistical Release Table 8a

www.communities.gov.uk/documents/statistics/xls/1265898.xls

¹⁴ NLP. 29 Nov 2007, Planning Report. Para 2.10 http://acolnet.lewisham.gov.uk/ACOLLATEDOCS/32300_13.pdf

¹⁵ The GLA report (Oct 2007) on the regeneration states: "alternative appropriate provision for the travellers is a prerequisite for redevelopment of the main Lewisham Gateway site..... Mechanisms to enable appropriate alternative provision are therefore in place."

Appendix 2 Response to 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 type="checkbox"/>
No	<input checked="" type="checkbox"/>

Comment:

The definition for "gypsies and travellers" should be as for s225 of the Housing Act 2004 and laid out in Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (England) Regulation 2006.

1) As the Consultation document itself states "The housing definition is more pragmatic and wider and enables local planning authorities to understand the possible future accommodation needs of this group and plan strategically to meet those needs."

2) Many Gypsies and Travellers who need pitches have been forced to live in houses by the closure or shortage of sites. See main text section 6. This very real need is not expressed in the definition adopted by the proposed PPS

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:

There is no reference to 'robust' evidence in the draft NPPF. Evidence for other policies should not be less 'robust' than for Gypsy and Traveller policy. In this respect there is no justification for planning for Travellers sites to be inconsistent with the rest of the NPPF

It is not possible sensibly to judge or assess 'robustness' without a set of benchmarks or practice guidance. This is so both for the LPA in collecting the data and for the independent inspector (NPPF para 48)

Specific reference to GTANAs should be retained:

1) The Government has put forward no reason why the GTANA methodology, in itself, is unacceptable. The current guidance on GTANAs is NOT intrinsically linked to 'top down targets'. Indeed the guidance states that they should be "LED BY LOCAL AUTHORITY housing Departments" The guidance is sensible and unexceptional.

2) In relation to housing, the Government is also opposed to 'top down targets' yet it is retaining the guidance (NPF para 28). An inconsistency here would be against the spirit of the public sector equality duty.

One option, preferable to losing the GTANA guidance altogether, is to incorporate it as an appendix to the SHMA guidance.

3) The existing GTANA's are a valuable set of data which the current draft PPS encourages LPAs to put to one side. This is a waste of public resources, a travesty of evidence based planning and contrary to the core values of the NPPF.

4) The GTANA methodology has been tested at a number of public enquiries. Many useful lessons have been learned and a degree of consistency achieved.

Two interrelated lessons that this has taught are that assessments benefit strongly

- from collaborative working at County, subregional level or London level. The poor quality of LB Bexley's go-it-alone assessment is evidence of this.
- by being consistent between LPAs (again, a need for national guidance on practice).

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

Comment:

Each LPA should calculate and adopt (in its local plan) a set of clear pitch/yard requirements which it uses for objective, evidence-based planning.

The word 'target' should not be used up-front in policy for Travellers sites given the way it is used in the Ministerial forward to the NPPF. Rather the language of NPPF para 108 should be used. In general PPS paras 8, 9a, b, c, e, etc should strictly mirror the wording of draft NPPF paras 107 et seq.

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:

1) The language is different from that used in relation to housing in para 28, 109 & 111 of the NPPF. An inconsistency here would be against the spirit of the Public Sector Equality duty.

2) In normal planning parlance "need" is most closely associated with affordable housing, "demand" with market housing and "requirements" with the (demographic) total. So is "need in

the context of demand" about affordable sites, private sites or the total? This confusion will lead to poor, protracted planning.

3) Also, the word "historical" is too vague to be useful. Such vagueness at the core of policy will lead to significant uncertainty and delay.

"Historical" could refer to trends (significant data problems with the caravan count), or 'local connection' (contradicts PPS para 25), or 'traditional' (contradicts NPPF para 27).

It could also be used to refer, loosely, to some concept of the 'collective folk memory' or 'perceptions' held by a settled community or LPA. This is extremely dangerous, being entirely opposed to evidence based planning and the core values of NPPF (para 14, for example).

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

Comment:

The language here should strictly mirror the wording of NPPF (see para 109:2nd bullet.)

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:

The policy on planning for Traveller sites will find its final resting place as a constituent of the NPPF. The NPPF will have superseded PPG2. So the draft PPS needs to be consistent with the NPPF (draft paras 113-147) not with the time-limited PPG. The final policy on Travellers sites within the NPPF will automatically be consistent with paras 113-147 of the same document, as long as statements on the green belt are limited to the generic green belt paragraphs.

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

Comment:

Yes. In the final NPPF it should be clear that the housing policies in the NPPF (paras 28, 107-113) automatically include pitches/yards unless specifically stated. Also this will be so for all generic statements (that do not relate to particular land uses) in the NPPF.

In particular it should be made clear that the NPPF references to housing policies being "strategic local plan policies" (paras 17, 23) include the policies for Travellers sites and that reference to 'strategic local plan policies' in NPPF paras 50 and 51 is to be interpreted in this way.

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

Comment:

The PPS refers to **early** engagement of the settled community. This, on its own, is likely to exacerbate tensions and the imbalance of influence on planning. It will do nothing to aid pitch provision. Rather a well resourced programme of conflict resolution is required in which the Gypsy and Traveller community is given a leading role.

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 PPS will find its final resting place as a constituent of the NPPF. The NPPF will have superseded PPS3. So the draft PPS needs to be consistent with the NPPF housing sections (draft paras 28 and 107-112) not with the time-limited PPS. The final policy on Travellers sites within the NPPF will automatically be consistent with these housing paras of the same document as long as nothing inconsistent is said in relation specifically to Travellers sites.

The draft PPS contradicts NPPF Para 110 which states "Planning permission should be granted where a local authority cannot demonstrate an up-to-date five-year supply of deliverable sites." Note the lack of reference to temporary permissions here.

An inconsistency here would contravene the spirit of the Public Sector Equalities Duty.

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:

LPA's have had some 5 years notice that they will need to plan for pitches and yards. This is adequate.

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

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

Comment:

There are no transitional arrangements mentioned in the NPPF. The inconsistency between this and the policy for Travellers sites is not argued or justified.

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:

The 'Policy on Travellers sites' should be consistent with the NPPF and state, simply and clearly, how policy for travellers sites differs from the NPPF generic statements or those related to housing. In this respect, production of the final NPPF should take into account the spirit of the Public Sector Equalities Duty.

See the table comparing the draft PPS and the NPPF attached.

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

Comment:

Q13 does not mention Travelling Showpeople.

The draft statement will have a significant negative differential impact on Gypsies, Travellers and Travelling Show-people ("the communities") compared with the option of retaining existing policy guidance such as GTANA practice guidance, c1/06 and 4/07; and encouraging LPAs to use existing evidence on needs.

As the introduction makes clear the policy is driven by the 'perceptions' of unfairness amongst portions of the settled community rather than the objective evidence of long-standing unfairness to the communities that will now continue. The roots of this unfairness - attitudes of the settled community and its differential power within the planning system, political pressures on LPAs to minimise or turn a blind eye to the needs of the communities - are not addressed in any useful way in the draft statement.

(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"/>
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Comment:

LGTU has not added any comments to its answers below. The impact assessment is very significantly flawed and any response would require a major piece of work. Its underlying message would be that the policy should be based on a dispassionate reading, unsullied by preconceptions, of the evidence put forward in the very many reports on this topic that have been published over the last 15 years.

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 type="checkbox"/>	No	<input checked="" type="checkbox"/>
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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 checked="" type="checkbox"/>	No	<input type="checkbox"/>
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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 type="checkbox"/>	No	<input checked="" type="checkbox"/>
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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"/>
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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"/>
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Q7. Are there any significant risks or unintended consequences we have not identified? If so, please describe.

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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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 checked="" type="checkbox"/>	No	<input type="checkbox"/>
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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"/>
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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"/>
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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"/>	No	<input checked="" type="checkbox"/>
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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"/>
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Q18. Do you think that the draft policy is likely to have any impact, positive or negative, on travelling show people as an economic group?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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Q19. Are there any significant risks or unintended consequences we have not identified? If so, please describe.

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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Q20. Do you think there are any groups disproportionately affected?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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Appendix 3

Detailed comparison of PPS Planning for Traveller sites and the National Planning Policy Framework

Response to consultation on PPS "Planning for Traveller sites"
London Gypsy and Traveller Unit

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
1 Whole paragraph	redundant	
2 Reference to Mayor of London	Delete or include in generic NPPF sections	Not in 1-8 (Intro)
3 The policies in this Statement are a material consideration which must be taken into account in development management decisions, where relevant. The development management policies in the statement can be applied directly by the decision maker when determining planning applications.	Delete or include in generic NPPF sections	Not in 62-63 (Development Management)
It is only necessary for the development plan to reformulate development management policies in this Statement if there are specific factors justifying variation of these policies.	Delete or include in generic NPPF sections	Not in 20-22 (Plan Making)
4 The Government's overarching objective is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.	Retain	new

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
5 To help achieve the above objectives the Government's objectives for planning in respect of traveller sites are to:	Overall para 5 comprises exactly the kind of duplication of general planning objectives that NPPF is attempting to avoid	
<ul style="list-style-type: none"> enable local planning authorities to make their own assessment of need for the purposes of planning 	Retain Redundant: There is no change in the duty of Local Authorities to assess these needs.	
<ul style="list-style-type: none"> ensure that local planning authorities, working collaboratively, 	Delete Superseded by NPPF	44-47 (Planning strategically across local boundaries)
<ul style="list-style-type: none"> develop fair and effective strategies to meet need through the identification of land for sites 	Retain	
<ul style="list-style-type: none"> encourage local planning authorities to plan for sites over a reasonable timescale 	Delete Similarity to NPPF	24:2 nd bullet (Plan Making)
<ul style="list-style-type: none"> protect Green Belt from development 	Delete Superseded by NPPF Also Unjustified difference from NPPF housing section	142-145 (Green Belt) Not in 107-113 (Housing)

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
<ul style="list-style-type: none"> promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites 		
<ul style="list-style-type: none"> reduce the number of unauthorised developments and encampments and make enforcement more effective 	Delete not relevant to PPS	
<ul style="list-style-type: none"> ensure that the development plan includes fair, realistic and inclusive policies 	Retain	new
5 <ul style="list-style-type: none"> increase the number of traveller sites, in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply 	Retain	new
<ul style="list-style-type: none"> reduce tensions between settled and traveller communities in plan making and planning decisions 	Retain	new
<ul style="list-style-type: none"> enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure 	Retain	new
<ul style="list-style-type: none"> have due regard to the protection of local amenity and local environment 	Delete Superseded by NPPF Also unjustified difference from NPPF housing section	10:3 rd bullet, 19:4 th & 5 th bullets (Delivering sustainable development) etc Not in 107-113 (Housing)

Response to consultation on PPS “Planning for Traveller sites”
London Gypsy and Traveller Unit

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
<p>6 In assembling the evidence base necessary to support their planning approach, local planning authorities should:</p> <p>a) pay particular attention to early and effective community engagement with both settled and traveller communities</p>	<p>Delete</p> <p>Unjustified major difference from NPPF See Section 3</p>	<p>Not in 27, 28 (Plan making)</p>
<p>b) co-operate with travellers, their representative bodies and local support groups, other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of their development plan</p>	<p>Accept</p>	<p>new</p>
<p>in the light of historical demand</p>	<p>Delete</p> <p>Unjustified major difference from NPPF See Section 3</p>	<p>Not in 27, 28 (Plan making)</p>
<p>c) use a robust evidence base to establish need to inform the preparation of the development plan and make planning decisions</p>	<p>Delete</p> <p>Unjustified major difference from NPPF See Section 3</p>	<p>Not in 27, 28 (Plan making)</p>
<p>7 Local planning authorities should, to inform policy development, monitor and critically analyse decisions on applications for sites for travellers compared to those of applications for other types of residential development and other types of caravan site.</p>	<p>Accept</p>	<p>new</p>

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
8 Local planning authorities should set pitch and plot targets which address the <i>likely</i> permanent and transit site accommodation needs of travellers	Amend Delete ' <i>likely</i> '	new
in the light of historical demand.	Delete Unjustified major difference from NPPF <i>See Section 3</i>	Not in 28 (Plan making), 109 (Housing)
9 Local planning authorities should, in producing their development plan: a) set out their policies and strategies for delivering their locally set targets, .. <i>[see next row]</i> .. that will enable continuous delivery of sites for at least 15 years from the date of adoption	Delete Superseded by NPPF	24 (Plan making)
including identifying specific sites	Delete Unjustified major difference from NPPF <i>See Section 3</i>	Clearly different from 24, (Plan making) 109 (Housing)
b) identify sufficient specific deliverable sites to deliver site need in the first five years (to be considered deliverable, sites should, at the point of adoption of the relevant policy: be available – the site is available now ; be suitable- the site offers a suitable location for development now and would contribute to the creation of sustainable, mixed communities; be achievable – there is a reasonable prospect that housing will be delivered on the site within five years)	Delete Superseded by NPPF (in any event, clear up reference to housing)	109:2 nd bullet , footnote 5 (Housing)

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
9 c) in determining how much land is required, not include sites for which they have granted planning permission unless they can demonstrate, based upon robust evidence, that the sites are developable and are likely to contribute to delivering locally set targets at the point envisaged	Delete or include in NPPF generic sections	Not in 109, Footnotes 5, 6 (Housing)
d) allow for provision to be made for other family members who may not themselves physically move their own accommodation onto the site	Amend. <i>See Section 3</i>	new
e) consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area	Delete Superseded by NPPF	46, 47 (Plan making)
f) relate the number of pitches or plots to the circumstances of the specific size and location of the site	Delete Unnecessary, surely?	
and the surrounding population's size and density		
g) protect local amenity and environment	Delete Superseded by NPPF	10:3 rd bullet, 19:4 th & 5 th bullets (Delivering sustainable development) etc etc

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
10 Criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward.	Amend <i>See Section 3</i>	new
11 Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally.	Delete Superseded by NPPF	9, 10, (Delivering sustainable development)
Local planning authorities should, therefore, ensure that their policies: a) promote peaceful and integrated co-existence between the site and the local community b) promote easier access to health services c) ensure that children can attend school on a regular basis	Retain	new
d) provide a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment	Delete <i>See Section 3</i>	
e) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans; and f) reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability	Accept	new

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
<p>12 When assessing the suitability of sites in rural or semi-rural settings, local authorities should ensure that the scale of such sites does not dominate the nearest settled community.</p>	<p>Delete Unjustified major difference from NPPF See Section 3 para 22 below repeats this</p>	<p>No similar statement in NPPF for other forms of development.</p>
<p>13 If there is a lack of affordable land to meet local traveller needs, local planning authorities in rural areas, where viable and practical, should consider allocating and releasing sites <i>solely</i> for affordable traveller sites, including using a Rural Exception Site Policy for traveller sites that should also be used to manage applications. A Rural Exception Site Policy enables small sites to be used, specifically for affordable traveller sites, in small rural communities, that would not normally be used for traveller sites. Rural exception sites should only be used for affordable traveller sites in perpetuity. A Rural Exception Site Policy should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection, whilst also ensuring that rural areas continue to develop as sustainable, mixed, inclusive communities.</p>	<p>Retain with minor amendment Delete the word ‘solely’. Rural Exceptions Policy is not mentioned in NPPF. The source policy for Rural Exceptions is PPS3. Should NPPF not take on this mantle when it supersedes PPS3?</p>	<p>new</p>
<p>14 There is a general presumption against inappropriate development within Green Belts. Traveller sites in the Green Belt are inappropriate development, within the meaning of Planning Policy Guidance 2: <i>Green Belts</i>.</p>	<p>Delete Superseded by NPPF</p>	<p>142-144 (Green belt)</p>

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
<p>15 Detailed Green Belt boundaries defined in adopted development plans or earlier approved plans should be altered only exceptionally. If a local planning authority wishes to make an exceptional limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application.</p>	<p>Delete Superseded by NPPF</p>	<p>137-139 (Green belt)</p>
<p>If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only.</p>	<p>Delete Unjustified difference from NPPF <i>See Section 3</i></p>	<p>140:1st bullet (Green belt)</p>
<p>16 Local planning authorities should consider, wherever possible, including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents. Local planning authorities should consider the scope for identifying separate sites for residential and for business purposes in close proximity to one another if mixed sites are not practicable.</p>	<p>Amend <i>See Section 3</i></p>	<p>new</p>
<p>17 Local planning authorities should have regard to the need that travelling showpeople have for mixed-use yards to allow residential accommodation and space for storage of equipment.</p>	<p>Retain</p>	<p>new</p>
<p>18 Local planning authorities should not permit mixed use on rural exception sites.</p>	<p>Amend <i>See Section 3</i></p>	<p>new</p>

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
<p>19 Local planning authorities should work with the planning applicant and the affected traveller community to identify a site or sites suitable for relocation of the community if a major development proposal requires the permanent or temporary relocation of a traveller site. Local planning authorities are entitled to expect the applicant to identify and provide an alternative site, providing the development on the original site is authorised.</p>	<p>Retain</p>	<p>new</p>
<p>20 Local planning authorities should consider the following issues when considering planning applications for traveller sites:</p> <p>a) the existing level of local provision and need for sites</p>	<p>Delete Superseded by NPPF focus on plan-led system</p>	<p>19 (Delivering sustainable development), 62 (Development management)</p>
<p>b) the availability (or lack) of alternative accommodation for the applicants</p> <p>c) other personal circumstances of the applicant</p>	<p>Delete or Amend Unjustified major difference from NPPF See Section 3</p>	<p>new There is no similar statement in NPPF for other forms of development.</p>
<p>d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites</p>	<p>Delete Superseded</p>	<p>19 (Delivering sustainable development), 62 (Development management)</p>
<p>e) that they should determine applications for sites from any travellers and not just those with local connections</p>	<p>Retain</p>	<p>new</p>

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
<p>21 If local planning authorities have an up-to-date five year supply of deliverable sites and applications come forward for sites that are allocated in the overall land supply, but which are not yet in the up-to-date five year supply, they should consider whether granting permission would undermine achievement of their policy objectives.</p>	<p>Delete (or include in generic NPPF sections) Unjustified difference from NPPF See Section 3</p>	<p>109 (Housing)</p>
<p>22 Local planning authorities should strictly limit new development in open countryside that is away from existing settlements or outside areas allocated in the development plan.</p>	<p>Delete Unjustified major difference from NPPF See Section 3</p>	<p>Goes much further than 112, 113 (Housing)</p>
<p>However, they should recognise that some rural areas may be acceptable for some forms of traveller sites.</p>	<p>Retain</p>	<p>new</p>
<p>Local authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure</p>	<p>Delete repetition of para 12 above</p>	
<p>23 Local planning authorities should look favourably upon applications that: a) involve the development of previously developed (brownfield), untidy or derelict land</p>	<p>Delete (or include in generic NPPF sections) Unjustified major difference from NPPF See Section 3</p>	<p>19 (Delivering sustainable development), 23,24 (Plan making), 148 (Planning for places)</p>
<p>b) are well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness</p>	<p>Retain</p>	<p>new</p>
<p>c) ensure adequate landscaping and play areas for children d) do not enclose a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community</p>	<p>Retain</p>	<p>new</p>

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
<p>24 Local planning authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including:</p> <ul style="list-style-type: none"> a) limiting which parts of a site may be used for any business operations, in order to minimise the visual impact and limit the effect of noise b) specifying the number of days the site can be occupied by more than the allowed number of caravans (which permits visitors and allows attendance at family or community events) c) limiting the maximum number of days for which caravans might be permitted to stay on a transit site 	<p>Retain</p>	<p>new</p>
<p>25 Local planning authorities should determine applications for sites from any travellers and not just those with local connections.</p>	<p>Delete Repetition of para 20 e) above</p>	
<p>26 This planning policy statement comes into effect immediately. From [the date six months after date policy comes into effect], if a local planning authority cannot demonstrate an up-to-date five year supply of deliverable sites, it should consider favourably applications for the grant of a temporary planning permission</p>	<p>Delete Unjustified major difference from NPPF See <i>Section 3</i></p>	<p>110 (Housing) also 14:2nd bullet, 15, 19:2nd & 3rd bullet, 20, 26, 63, 109</p>