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Response to
National Planning Policy Framework
The NPPF and planning for Travellers sites v3

London Gypsy and Traveller Unit

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1	1	Introduction and proposals
5	2	Abridging the draft PPS <i>Planning for Travellers sites</i>
6	3	Recurring issues
7	4	Streamlining
9	5	Changes to the abridged draft PPS
Appendices		
10	1	Draft PPS statements – priorities
12	2	PPS/NPPF comparison.
25	3	Correction to the submission

This paper was written by Bernard Bourdillon with the assistance of staff at the London Gypsy and Traveller Unit.

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When the Criminal Justice Act of 1994 repealed the duty to provide sites and increased eviction powers, roadside families were forced into housing and many boroughs began to close sites.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 and Proposals

- 1.1 In this submission the single term “Travellers” is generally intended to refer to Gypsies, Travellers and Travelling Showpeople. In respect of planning policy for site provision, certain aspects of the background and needs of Travelling Showpeople in particular are special to them. None-the-less much of the case promoting their needs and rights in relation to site provision can reasonably be argued collectively.
- 1.2 The consultation process remains unfair to Travellers. Alone amongst groups affected by the National Planning Policy Framework (NPPF) they have not been served with a draft NPPF section on which to comment. The draft Planning Policy Statement *Planning for Travellers sites* (draft PPS) might give little help since it is designed to fit with the policy system that is already ailing and will die in April 2012 when superseded by the final NPPF. To what extent should we really base our responses on the draft PPS? Or the draft NPPF? Or just start from scratch? This paper tries to hedge its bets and does a bit of all three.
- 1.3 The arguments here are brief. They are given more fully in various reports by the London Gypsy and Traveller Unit (www.lgtu.org.uk)
- 1.4 This paper starts by presenting two alternative proposals for the section of the NPPF on Planning for Travellers sites. Both proposals are developed from
 - The draft PPS
 - LGTU concerns
 - A self imposed word limit of one page (about 400 words)

The proposals differ only in the way they express the relationship of planning for Travellers sites to the rest of the NPPF: Proposal B makes bold the mainstreaming with housing and attempts to reduce separate statements on planning for Travellers sites to a minimum.

- 1.5 Section 2 presents an abridged version of the draft Planning Policy Statement *Planning for Travellers sites* (the draft PPS) which is the starting point for the development of the NPPF proposals. This abridged version uses only statements found in the draft PSS: No additions were made.
- 1.6 The workings for this abridged version are shown in appendices 1 and 2. The first sifting of the PPS statements in relation to their impact on the community and their conformity to the NPPF is given in appendix 2. The retained PPS statements were then sorted, as shown in Appendix 1, according to their positive value to the community as judged by LGTU. Then as many were included in the abridged version as could be squeezed into 400 words.

Sections 3 and 4 then propose amendments to the abridged draft PPS based on LGTU’s experience as a service provider and policy advocate.
- 1.7 Section 3 outlines the three major concerns of LGTU. These are that
 - it will be very difficult to make localism work for Gypsies and Travellers
 - GTAA evidence of need must be retrieved and used
 - the Housing definitions Gypsy and Traveller should be used.
- 1.8 Section 4 considers a range of more detailed issues by focussing on the question of mainstreaming Traveller site development with housing policy.
- 1.9 Section 5 tracks the changes made to the abridged version of the draft PPS for the final proposals, following the arguments made in the previous two sections.

1.10 Proposal A

NPPF section on Planning for Travellers sites

Planning for Travellers sites

- 1 The Government's objectives are to:
 - increase the number of Traveller^a pitches and yards in appropriate locations with planning permission, address widespread under-provision and maintain an appropriate level of supply,
 - promote peaceful and integrated co-existence between each site and the local community,
 - ensure that the development plan includes fair, realistic and inclusive policies,
 - facilitate the traditional and nomadic way of life of Travellers.
- 2 Local Planning Authorities should ensure that their policies:
 - a) incorporate the lessons of best practice in site development, community inclusion and local capacity building for Traveller advocacy,
 - b) support the replacement of pitches and yards lost through closure,
 - c) fulfil the duty for joint working
 - d) recognise that some rural areas, including Rural Exceptions sites, may be acceptable for Traveller sites.
- 3 As a strategic policy the local plan should
 - set pitch and yard targets which address the permanent and transit site accommodation needs of Travellers, and
 - include criteria for land allocation and development management of Travellers sites, These criteria should not be so restrictive that it is virtually impossible for a site proposal to satisfy them.
- 4 Targets should be set using the existing Accommodation Needs Assessments and these should be updated in line with SHMA guidance.
- 5 Local Planning Authorities should have regard to the need that Travelling Showpeople have for mixed-use yards to allow residential accommodation and storage of equipment.
- 6 They should consider the following issues when deciding planning applications for Traveller sites:
 - a) the existing level of local provision and need for sites,
 - b) the availability of alternative accommodation for the applicants,
 - c) other personal circumstances of the applicant.

It shall not be a pre-requisite for approval that the applicant has a local connection
- 7¹ Paragraphs 14 and 110² on transitional arrangements shall apply to planning for Travellers sites.
 - a housing definition of Traveller

Shading denotes that LGTU needs legal advice to comment adequately or that the response depends entirely on details of NPPF reworking.

¹ This paragraph has been amended subsequent to submission – see Appendix 3

² Of the draft NPPF

1.11 Proposal B Mainstreaming the NPPF section on Planning for Travellers sites

Planning for Travellers sites

1 The Government's objectives are to:

- increase the number of Traveller^a pitches and yards in appropriate locations with planning permission, address widespread under-provision and maintain an appropriate level of supply,
- promote peaceful and integrated co-existence between each site and the local community,
- ensure that the development plan includes fair, realistic and inclusive policies,
- facilitate the traditional and nomadic way of life of Travellers.

2 Framework policies specified for housing will generally apply to the development of Travellers sites. This is so, for example, in relation to the following:

- their strategic standing
- duty for joint working
- the assessment of need
- the process of target setting
- material considerations in deciding planning applications
- siting in rural areas
- transition arrangements

The following policies should also be taken into account.

3 Local Planning Authorities should ensure that their policies:

- a) incorporate the lessons of best practice in site development, community inclusion and local capacity building for Traveller advocacy,
- b) support the replacement of pitches and yards lost through closure.

4 As a strategic policy the local plan should

- set pitch and yard targets which address the permanent and transit site accommodation needs of Travellers, and
- include criteria for land allocation and development management of Travellers sites. These criteria should not be so restrictive that it is virtually impossible for a site proposal to satisfy them,

5 Targets should be set using the existing Accommodation Needs Assessments and these should be updated in line with SHMA guidance.

6 Local Planning Authorities should have regard to the need that Travelling Showpeople have for mixed-use yards to allow residential accommodation and storage of equipment.

a housing definition of Traveller

1.12 Changes to other section of the NPPF

This section draws on the draft submission by Michael Hargreaves of the Irish Traveller Movement.

Paragraph 23, 1st bullet: include specific reference to the needs of Gypsies, Travellers and Travelling Showpeople within strategic priorities. This is necessary to inform paragraphs 44 and 50.

Paragraph 28, 1st bullet, 2nd sub-paragraph: include reference to the needs of Gypsies, Travellers and Travelling Showpeople, including those in bricks and mortar housing. This would mean preparing evidence on the housing needs of Gypsies and Travellers at the same time as for other sections of the community, and removing the reference in the Draft PPS to local need in the context of historic demand, which would have introduced uncertainty and implied local authorities could ignore non local demand, compromising the rights of Gypsies and Travellers to the free movement within the country enjoyed by others.

Paragraph 111 1st bullet, 2nd sub-paragraph: include specific reference to Gypsies, Travellers and Travelling Showpeople.

2 Abridging the draft PPS

- 2.1 This section presents an abridged version of the draft PPS using only statements found in it. No additions were made. The PPS statements were sorted, as shown in Appendix 2, according to their positive value to the community as judged by LGTU. Then as many were included as could be squeezed into 400 words (roughly one page).
 - 2.2 This abridged version is then used as a starting point for the arguments made in the next two sections.
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Planning for Travellers sites

- 1 The Government's objectives are to:
 - increase the number of traveller sites in appropriate locations with planning permission, address under-provision and maintain an appropriate level of supply,
 - ensure that the development plan includes fair, realistic and inclusive policies,
 - promote peaceful and integrated co-existence between each site and the local community
 - facilitate the traditional and nomadic way of life of Travellers.
- 2 Local Planning Authorities should ensure that their policies:
 - a) promote access to education, health, welfare and employment infrastructure,
 - b) do not locate sites in areas at high risk of flooding, including functional floodplains,
 - c) recognise that some rural areas, including Rural Exceptions sites, may be acceptable for Traveller sites.
- 3 They should
 - a) set pitch and plot targets which address the permanent and transit site accommodation needs of Travellers, and
 - b) include criteria for land allocation and development management of Travellers sites,
- 4 In assembling the evidence base for these targets, local planning authorities should co-operate with Travellers, other local authorities and relevant interest groups.
- 5 Local planning authorities should have regard to the need that Travelling Showpeople have for mixed-use yards to allow residential accommodation and storage of equipment.
- 6 They should consider the following issues when deciding planning applications for Traveller sites:
 - a) the existing level of local provision and need for sites,
 - b) the availability (or lack) of alternative accommodation for the applicants,
 - c) other personal circumstances of the applicant.They should determine applications for sites from any Travellers and not just those with local connections
- 7 Where a development proposal requires the relocation of an authorised Traveller site the local planning authority should work with the applicant and the Traveller community to identify a suitable site for relocation of the community. The authority is entitled to expect the applicant to identify and provide an alternative site.

8³

³ This paragraph has been deleted subsequent to submission – see Appendix 3

3 Recurring issues

3.1 Help to overcome local authority inaction

Para 1 (3rd •) of the abridged draft PPS above is welcome.

However some more positive guidance should be given. There is ample evidence that the attitude of the local electorate is the most serious barrier to pitch provision, even for the best designed sites for locally known families. Nearly all Gypsies and Travellers have experienced this prejudice and many local authority politicians and officers make the point⁴. By itself, Para 6 of the PPS, requiring “early and effective community engagement with both the settled communities and... “ will not help. Rather policy/guidance should

- advertise examples of best practice sites and community inclusion, and
 - support capacity building for Gypsy and Travellers ambassadors.
- **Insert:** “Authorities’ policies should incorporate the lessons of best practice in site development, community inclusion and local capacity building for Traveller advocacy.”
- highlight the poor record of site provision so that the it is always a part of the context of policy discussion.
- **emphasise** the under-provision as “widespread”.

Outside the NPPF, The Government should bring pressure to bear on the HCA (and Mayor of London) to ensure that site grant is fully spent.

3.2 Reinstate GTAA data on needs

We understand that CLG has stated that it does not intend to withdraw the GTAA guidance. None-the-less steps need to be taken to reduce the damage done by Steve Quartermain’s letter of 6th July 2010 to Chief Planning Officers:

*“Gypsy and Traveller Accommodation Assessments (GTAAs) have been undertaken by all local authorities and **if** local authorities decide to review the levels of provision these assessments will form a good starting point. However, **local authorities are not bound by them.***”

This is taken by many authorities to mean that they can disregard their GTAAs, a deplorable waste of evidence, and that they are not required to review the need for pitches.

The NPPF should, at least, say

- **Insert** “Targets should be set using the existing Accommodation Needs Assessments and these should be updated in line with SHMA guidance.⁵”

3.3 Definition of Travellers

Here we simply note this most important issue. It is dealt with at length by the LGTU in its submission (s6) to the PPS consultation and by many others.

- **Insert** Housing definition of Travellers.

⁴ See LGTU submission on the PPS - section 5.

⁵ there is a need for some guidance on GTAA within the SHMA guidance.

4 Streamlining

4.1 Needs assessment methodology

The SHMA guidance refers to assessing the needs of Gypsies and Travellers already. It seems sensible that the GTAA guidance is subsumed in the SHMA guidance⁶ in a way that retains clear guidance on the special issues for GTAAs.

If this is done, then paragraph 4 of the abridged draft PPS above is no longer needed

→ **Delete** “In assembling the evidence base for these targets, local planning authorities should co-operate with Travellers, other local authorities and relevant interest groups”.

4.2 Targets

It is essential that the pitch/yard targets are laid down separately from overall housing targets. LGTU understands that some authorities are arguing that pitches/yards should be subsumed within overall housing targets. Pitch/yard targets would then effectively disappear which would be disastrous.

→ **Retain** the equivalent of paragraph 3 of the abridged draft PPS above.

But the broad process for target setting should be the same for pitches/yards as for housing. In particular

→ **Specify** that pitch/yard targets should be in the Local Plan⁷ (or in the same document as housing targets).

They should not, for example, be put off to some long awaited Supplementary Planning Document specific to Traveller site development.

4.3 Planning criteria

It is important to site development that the statement of planning criteria for sites is retained. Our experience of Core Strategy EiPs shows that the guidance that criteria for the allocation of land “should not be so restrictive that it is virtually impossible for a site proposal to satisfy them” is very valuable:

→ **Insert:** include criteria for land allocation and development management of Traveller sites. These should not be so restrictive that it is virtually impossible for a site proposal to satisfy them.

4.4 A strategic policy

Planning for Travellers sites must be a strategic policy for the purposes of sections 17, 23, 44 and 50-52 of the draft NPPF.

→ **Insert** the phrase “as a strategic policy” in paras 3 of the abridged draft PPS.

4.5 Material considerations

Technically it is possible that para 6 of the abridged draft PPS above is not needed since all these points are covered by the overarching approach to material considerations in legal precedent and a plan led approach. However there is a significant doubt about the effects of the NPPF on material considerations and the plan led approach. LGTU needs legal advice in order to contribute more on this subject.

Although included in the abridged draft PPS above, the sentence “They should determine applications for sites from any Travellers and not just those with local connections” is, we suspect, intended to mean

⁶ There is a 2 page section on “How will (a GTAA) differ from assessing the housing needs of the settled community”. Engagement with those to be surveyed is a particularly important issue.

⁷ The NPPF does not closely define a Local Plan. We assume that each local authority is required to produce a Local Plan and that it will fulfil much the same purpose as a Core Strategy.

→ **Rephrase as** “It shall not be a pre-requisite for approval that the applicant has a local connection.”

4.6 Sustainable Development

The following two issues in para 2 of the abridged draft PPS above appear to follow directly from the concept of sustainable development and so are covered by the overarching principles of the NPPF

→ **Delete**

- c) promote access to education, health, welfare and employment infrastructure,
- d) do not locate sites in areas at high risk of flooding, including functional floodplains,

4.7 Pitch closure

LGTU believes that Para 7 of the abridged draft PPS is unlikely to reach the final version since the onus it places on applicants might be argued to be unreasonable. None-the-less many Travellers sites are being lost through closure, and replacement of these is important to increasing the number of Travellers sites.

→ **Insert** policy should “support the replacement of pitches and yards lost through closure”

4.8 Joint Working

Provision for Travellers needs to be planned sub-regionally in many areas because of the patchy distribution of Traveller numbers (with low need authorities often a consequence of areas having resisted provision in the past), tight administrative boundaries, and varying extents of green belts, areas at risk of flood, and environmental designations. This is particularly important, we suggest, for Show people’s yards.

4.8a⁸Transitional arrangements

There is a need to stress that the transitional arrangements to the NPPF for planning for Travellers sites are the same as for other uses.

These points inform Proposal A given at the beginning of the paper

4.9 Streamlining taken a stage further (**used in Proposal B**)

An alternative to some of these points is to replace them with an overarching statement that more strongly locates Travellers sites as specialist housing:

→ **Insert** Framework policies specified for housing will generally apply to planning for Travellers sites. This is so, for example, in relation to the following:

- their strategic standing
- duty for joint working
- the assessment of need
- the process of target setting
- material considerations in deciding planning applications
- siting in rural areas
- transition arrangements

The following policies should also be taken into account.

⁸ This paragraph has been amended subsequent to submission – see Appendix 3

5 Changes to the abridged draft PPS

This section shows ~~deletions~~ and additions made to the abridged draft PPS given in section 2 above following the arguments of sections 3 and 4 and that lead to Proposal A given at the start of this paper.

Planning for Travellers sites

- 1 The Government's objectives are to:
 - increase the number of Traveller^a pitches and yards in appropriate locations with planning permission, address widespread under-provision and maintain an appropriate level of supply,
 - ensure that the development plan includes fair, realistic and inclusive policies,
 - facilitate the traditional and nomadic way of life of Travellers.
- 2 They should ensure that their policies:
 - a) promote peaceful and integrated co-existence between each site and the local community,
 - b) incorporate the lessons of best practice in site development, community inclusion and local capacity building for Traveller advocacy.
 - c) support the replacement of pitches and yards lost through closure
 - ~~b) promote access to education, health, welfare and employment infrastructure,~~
 - ~~c) do not locate sites in areas at high risk of flooding, including functional floodplains,~~
 - d) recognise that some rural areas, including Rural Exceptions sites, may be acceptable for Traveller sites.
- 3 As a strategic policy the local plan ~~They should~~
 - set pitch and yard targets which address the permanent and transit site accommodation needs of Travellers, and
 - include criteria for land allocation and development management of Travellers sites. These should not be so restrictive that it is virtually impossible for a site proposal to satisfy them.
- 4 ~~In assembling the evidence base for these targets, local planning authorities should co-operate with Travellers, other local authorities and relevant interest groups.~~
Targets should be set using the existing Accommodation Needs Assessments and these should be updated within the SHMA guidance.
- 5 They should have regard to the need that Travelling showpeople have for mixed-use yards to allow residential accommodation and storage of equipment.
- 6 Local planning authorities should consider the following issues when deciding planning applications for Traveller sites:
 - a) the existing level of local provision and need for sites,
 - b) the availability of alternative accommodation for the applicants,
 - c) other personal circumstances of the applicant.~~They should determine applications for sites from any Travellers and not just those with local connections~~
It shall not be a pre-requisite for approval that the applicant has a local connection
- ~~7 Where a development proposal requires the relocation of an authorised Traveller site the local planning authority should work with the applicant and the Traveller community to identify a suitable site for relocation of the community. The authority is entitled to expect the applicant to identify and provide an alternative site.~~
- 7⁹ Paragraphs 14 and 110¹⁰ on transitional arrangements shall apply to planning for Travellers sites.
 - a Housing definition of Traveller

⁹ This paragraph has been amended subsequent to submission – see Appendix 3

¹⁰ Of the draft NPPF

Appendix 1 Draft PPS statements - priorities

This section orders the statements in the draft PPS in importance of retention, rather than by subject matter. Single lined deletions are for reasons of grammar, double for policy. In the event, most of the material in the heavy box was incorporated in the abridged version of the draft PPS given in section 2 above.

5.9	To help achieve the above objectives the Government's objectives for planning in respect of Traveller sites are to: <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
8	Local planning authorities should set pitch and yard plot targets which address the likely permanent and transit site accommodation needs of Travellers in the light of historical demand
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.
22	However, they should recognise that some rural areas may be acceptable for some forms of Traveller sites.
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
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 an <u>authorised</u> 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.
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. (reorder for clarity)
5.4	<ul style="list-style-type: none"> develop fair and effective strategies to meet need through the identification of land for sites
5.8	<ul style="list-style-type: none"> ensure that the development plan includes fair, realistic and inclusive policies
6	In assembling the evidence base <u>for these targets</u> necessary to support their planning approach, local planning authorities should: <ul style="list-style-type: none"> 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 in the light of historical demand
20	Local planning authorities should consider the following issues when considering planning applications for Traveller sites: <ol style="list-style-type: none"> the existing level of local provision and need for sites the availability (or lack) of alternative accommodation for the applicants other personal circumstances of the applicant that they should determine applications for sites from any Travellers and not just

	those with local connections
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. (rewrite) ...the local plan should include criteria for land allocation and development management of Travellers sites
13 Rural Exceptions site policy
5.11	• <u>promote</u> enable provision of suitable accommodation from which Travellers can access to education, health, welfare and employment infrastructure
11	Local planning authorities should, therefore, they should ensure that their policies: <ul style="list-style-type: none"> a) promote peaceful and integrated co-existence between the <u>each</u> site and the local community (reduce tensions between settled and traveller communities in plan making and planning decisions) e) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans; and
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 (<u>add where this does not detract from or delay meeting borough target</u>). 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.
24	Local planning authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including: <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
23	Local planning authorities should look favourably upon applications that: <ul style="list-style-type: none"> b) are well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness 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
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.
9d	allow for provision to be made for other family members who may not themselves physically move their own accommodation onto the site <u>only where sufficient developable land is available to meet the pitch requirements given in the local plan</u>
11f	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

Appendix 2

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

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	

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

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	
<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	
<ul style="list-style-type: none"> reduce tensions between settled and traveller communities in plan making and planning decisions 	Amalgamate with 11a	
<ul style="list-style-type: none"> enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure 	Retain	
<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)

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</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>in the light of historical demand</p>	<p>Delete</p> <p>Unjustified major difference from NPPF</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</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>	

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> '	
in the light of historical demand.	Delete Unjustified major difference from NPPF	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 3	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.	
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	
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	Delete Duplicated by 5.11	
d) provide a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment	Delete	
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	retain	

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 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 amendment Delete the word '<i>solely</i>'. 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>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</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</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>18 Local planning authorities should not permit mixed use on rural exception sites.</p>	<p>Delete</p>	

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
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.	Retain	
20 Local planning authorities should consider the following issues when considering planning applications for traveller sites:	Retain	
a) the existing level of local provision and need for sites	Retain	
b) the availability (or lack) of alternative accommodation for the applicants	Retain	
c) other personal circumstances of the applicant	Delete	
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	Superseded	19 (Delivering sustainable development), 62 (Development management)
e) that they should determine applications for sites from any travellers and not just those with local connections	Retain	

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</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</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>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</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>	

Draft Planning Policy Statement	LGTU response	NPPF paragraphs
<ul style="list-style-type: none"> 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 	Retain	
<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 	Retain	
<p>25 Local planning authorities should determine applications for sites from any travellers and not just those with local connections.</p>	Delete Repetition of para 20 e) above	
<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>	Delete Unjustified major difference from NPPF	110 (Housing) also 14:2 nd bullet, 15, 19:2 nd & 3 rd bullet, 20, 26, 63, 109

Appendix 3 Correction to the submission

In the submitted version there was an error that could be interpreted as LGTU favouring the transitional arrangements suggested in the draft PPS that are manifestly unfair to Travellers. This was due to an oversight, and leaving work on the submission to the last minute in the hope that the final version of the PPS would be published to shed some light on Government thinking. No such luck.

The Proposal A on page 2 included (as para 7) the following extract from the draft PPS.

“that are shall be 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.”

This is wrong and irrelevant since it refers to the introduction of the PPS rather than the NPPF. Further it is inconsistent with Appendix 1 on which the Proposal was based and with Appendix 2 which argues for its deletion from the PPS.

This correction proposes, instead, the paragraph

“Paragraphs 14 and 110¹¹ on transitional arrangements shall apply to planning for Travellers sites.”

¹¹ Of the draft NPPF