

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
5 July 2016

**Subject: HAMBLETON DISTRICT COUNCIL GYPSY AND TRAVELLER
ACCOMMODATION ASSESSMENT AND DRAFT POLICY GUIDANCE
NOTE**

**All Wards
Portfolio Holder for Planning: Councillor B Phillips**

1.0 PURPOSE AND BACKGROUND:

- 1.1 The purpose of this report is to provide a sound evidence base for determining planning applications and developing policies and proposals in the emerging Local Plan for the provision of new Gypsy and Traveller pitches in the future and ensuring that these accord with the latest national planning policy. It presents for approval:
- The Hambleton District Council Gypsy and Traveller Accommodation Assessment Update June 2016 (attached as Annex 1)
 - A Draft Hambleton Policy Guidance Note for Gypsy and Travellers (attached at Annex 2)

2.0 HAMBLETON GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT (GTAA) UPDATE:

- 2.1 National planning policy guidance published in August 2015 requires local planning authorities to engage with the travelling community and work collaboratively with neighbouring local planning authorities to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs in their areas over the lifespan of their development plan. It also advises that a robust evidence base should be used to establish the accommodation needs of this group in order to inform the preparation of local plans and make planning decisions. Additionally, it brought a key policy change in that for planning purposes the new definition of Gypsies and Travellers now excludes those who have ceased to travel permanently. The planning definition is now limited to those who have a nomadic habit of life. If someone has given up travelling, except where on the grounds of only their own or their family's dependent's need for the reasons of health, education or old age they have ceased to travel temporarily, they are to be treated no different from the settled population. Provision for those falling outside of the definition will need to be assessed as part of the wider housing need through the Strategic Housing Market Assessment process, taking account of any cultural needs.
- 2.2 In response to the changes in national planning policy the Council, in December 2015, commissioned a study to review and update the accommodation assessments undertaken for Hambleton in 2012 and 2014, rolling them forward to identify the likely accommodation needs of Gypsies, Showpeople and Travellers in the Hambleton area for the fifteen year period from 2016 to 2031. The findings of this assessment will ensure that the Council has a robust and up-to-date evidence base for the emerging Hambleton Local Plan and the determination of planning applications that reflects current national policy and, critically, the new 'planning' traveller definition.

- 2.3 This report relates to Gypsies and Travellers only, the needs of Showpeople will be the subject of a further report.
- 2.4 The methodology used in the study is robust and in line with Government guidance. It included interviews with 30 out of a total of 53 Households on Traveller sites in Hambleton. Where an interview was completed each household was assessed against the new definition of a Traveller. This included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future.
- 2.5 Fieldwork to capture the evidence was initially undertaken in January 2016 with further follow up of visits in May 2016 to those addresses where residents had been previously unavailable. Prior to the latter round of visits a letter was sent to addresses where interviews had not previously been successful, explaining the purpose of the study, notifying them of the dates of the fieldwork and encouraging participation.
- 2.6 Contacts in bricks and mortar were sought through a wide range of sources including speaking with people living on existing sites to identify any friends or family living in bricks and mortar who might wish to move to a site. Despite these efforts no households in bricks and mortar were identified to complete an interview with.
- 2.7 The findings of the study conclude that in Hambleton for the period 2016-2031 one additional pitch is required for households who meet the new definition but this is not required until the period 2026-31.

Additional Need For Travelling Households

Gypsies and Travellers	2016-21	2021-26	2026-31	TOTAL
Who Meet Definition	-1	1	1	1

- 2.8 In addition, the findings conclude that 2 households who do not meet the new planning definition but have cultural needs as wider caravan dwellers may have a need for accommodation from 2021 and a further 3 may have the same need from 2026.

Additional Need For Non-Travelling Households

Gypsies and Travellers	2016-21	2021-26	2026-31	TOTAL
Who do not meet definition but have cultural need	0	2	3	5

- 2.9 Whilst the study acknowledges that the changes to planning guidance may result in increased levels of travelling it is not recommended that the Council considers any transit provision at this time as there are operational transit pitches in Hambleton.
- 2.10 There are three separate families on waiting lists for both the Stokesley and Thirsk sites which are currently full. However, the site interviews indicated that a number of households are seeking to vacate their pitches so there will be supply to meet the needs of the households on the waiting list.

2.11 Therefore, there is currently no need, the only known additional need for Travelling households that must be provided for in the Local Plan is one additional pitch after 2021. The Local Plan will need to include policy provision for this. The housing needs of those Gypsy and Traveller households who do not meet the ‘planning’ definition of a Traveller but have cultural needs will need to be assessed as part of the wider housing needs of the area through the Strategic Housing Market Assessment process and will form part a subset of the wider need arising from households living in caravans.

3.0 HAMBLETON GYPSY AND TRAVELLER GUIDANCE NOTE:

3.1 To reflect the new definition and the findings of the Gypsy and Traveller Accommodation Assessment the Council has also prepared a Draft Guidance Note for Gypsies and Travellers that seeks to provide practical advice and assist Gypsies and Travellers who are considering submitting a planning application. It will also provide a tool for Development Management to use when handling planning applications and appeals and hopefully reduce the number of Enforcement Cases. The note provides advice on when a planning application is needed, choosing a site and the planning application process. It offers clarification around what the Council will consider when determining planning applications and critically includes a form which must be completed and submitted as part of a planning application. This form requires information to be provided by the applicant to support the application and will ensure a rigorous and consistent approach. The form includes questions relating to Gypsy or Traveller status (such as invoices to evidence where and when the applicant travelled and for what purpose) and information about other family members. If an applicant does not provide the information it will assumed that they do not meet the new definition and the planning application will be recommended for refusal.

3.2 The guidance note should be subject to a six week period of consultation. Consultees should include the York Traveller’s Trust and Horton Housing (support provider). However, in the interim the evidence and approach will be used by Development Management, in respect of any planning applications.

4.0 LINK TO COUNCIL PRIORITIES:

4.1 Gaining a better understanding of the accommodation needs of Gypsies and Travellers and providing a guidance note that offers clear and accessible planning advice for them links to two Council priorities: Enhancing Health and Well Being and Providing a Special Place to Live. It will ensure that the Council plans for the needs of this group, improving health outcomes, reducing homelessness and also helping to improve social cohesion between Travellers and the settled community.

5.0 RISK ASSESSMENT:

5.1 There are no risks in approving the recommendations.

5.2 The key risks in not approving the recommendations are shown below:

Risk	Implication	Prob*	Imp*	Total	Preventative action
Not having an up- to - date Gypsy and Traveller Accommodation Assessment	The Local Plan evidence base will be jeopardised and could be found to be unsound and the Council will be in a weak position when determining planning applications and at appeals.	4	4	16	Agree the Gypsy and Traveller Accommodation Assessment as an evidence base for preparing Local Plan policies and determining planning applications.

Risk	Implication	Prob*	Imp*	Total	Preventative action
Not adopting a Gypsy and Traveller Guidance Note	Applicants and officers will not have clarity about what is required to be submitted as part of the planning application leading to confusion and /or inconsistency and delays in the validation process and decision making.	4	3	12	Adopt a Gypsy and Traveller Guidance Note

4.0 FINANCIAL IMPLICATIONS:

4.1 There are no cost implications to the Council of agreeing the recommendations.

5.0 LEGAL IMPLICATIONS:

5.1 There are no legal implications of agreeing the recommendations.

6.0 EQUALITY/DIVERSITY ISSUES

6.1 Having an up-to-date assessment of the accommodation needs of Gypsies and Travellers that has been undertaken through direct engagement with the community itself will provide a better understanding of its requirements resulting in better informed Plan-making and planning decisions. It will impact directly on this group since it quantifies the number of traveller pitches that are required to be provided through the planning process including the Local Plan.

6.2 The Traveller community will also be a consulted on the Draft Guidance Note having the opportunity to help shape it and ensure that it is in a format that is accessible and easy to understand. Once adopted the Guidance will be a practical tool to assist this group who might otherwise struggle to navigate the planning application process mitigating some of the issues Travellers currently experience and hopefully reducing the need for the Council to take enforcement action.

7.0 RECOMMENDATIONS:

7.1 It is recommended that Cabinet approves:-

- (1) the Hambleton District Council Gypsy and Traveller Accommodation Assessment Update June 2016 (attached as Annex 1) forms part of the evidence base for the emerging Hambleton Local Plan and determining planning applications for the provision of new Gypsy and Traveller pitches in the future; and
- (2) the Draft Hambleton Planning Guidance Note for Gypsy and Travellers (attached at Annex 2) is the subject of a six week public consultation.

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Background papers:

Planning Policy for Traveller Sites (DCLG, August 2015)

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