



Campaign to Protect
Rural England

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EERA Regional Spatial Strategy Single Issue Review: Planning for Gypsy and Traveller Accommodation in the East of England

Response to public consultation from CPRE - The Hertfordshire Society

1. Green Belt

The application of Green Belt policy to Gypsy and Traveller sites is covered in paragraphs 49-51 of ODPM Circular 01/2006. This states that new Gypsy and Traveller sites in the Green Belt are normally inappropriate development, and that national planning policy on Green Belts applies equally to applications for planning permission from Gypsies and Travellers and the settled population. It acknowledges that “the presence of Green Belt will constrain and limit opportunities for identifying gypsy and traveller sites in some areas”. However, it goes on to say that where a local authority’s area contains a high proportion of Green Belt land and no other suitable sites outside the Green Belt exist, an exceptional limited alteration to the defined Green Belt boundary could be considered to meet a specific, identified need for a gypsy and traveller site.

The Green Belt is referred to in the fifth bullet point on page 71 in Annex 2 of the report *Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies* (March 2007) as having the greatest potential constraining effect on Gypsy and Traveller accommodation provision. EERA’s draft Policy H4, however, appears to take no account of this and simply states that Local Development Documents (LDDs) should consider the need for the alteration of. EERA have failed to provide any justification for this, and have failed to demonstrate that there is an exceptional, specific need that requires Green Belt boundaries to be altered.

Proposed change: Delete the words “and the alteration of Green Belt boundaries where necessary to make required levels of provision” from Policy H4.

2. Need versus Demand

Draft policy H4 is constructed largely on the premise of satisfying ‘need where it arises’, taking its lead from the *Preparing Regional Spatial Strategy reviews* report. The existing pattern of site provision and unauthorised developments is assumed to indicate ‘need’, whereas it could be argued that existing site provision largely reflects those local authorities that have in the past met their statutory obligations and are now being penalised as a result.

There appears to be little evidence that need arising in one local authority area could not be partially satisfied by making provision in neighbouring authority areas. This is touched on in the bullet point conclusions in Annex 2 of the *Preparing Regional Spatial Strategy reviews* report, which (conversely) “found no evidence on the proportion of need arising in one LPA which could be transferred elsewhere through pitch allocations; nor is there evidence of the distance over which requirements might be transferred while creating sustainable sites and communities”. In light of

this, it could be argued that it probably makes little difference to the Gypsy and Traveller community whether they are located in the area of authority A or authority B within the same economic sub-region, but it could matter greatly to the local council tax payer if the bulk of provision in a sub-region has to be met in one authority's area.

In Hertfordshire, the preponderance of Gypsy and Traveller pitches are in local authority areas which are tightly constrained by Green Belt (St Albans, Welwyn Hatfield, Hertsmere). In spite of the 'levelling' effect of the minimum 15 pitch allocation proposed, the formula used by EERA still results in those authorities with the greatest current incidence of pitches being given the highest allocations. It might be more equitable for an 'average' allocation of additional pitches to be made across Hertfordshire, viz 17.6, say 18 (176 total ÷ 10 authorities). This would result in slightly less pressure on the Green Belt.

Proposed change: Amend the table in Policy H4 to give a more equitable distribution of additional pitches required between neighbouring authorities in identifiable sub-regions.

3. Beyond 2011

The *Preparing Regional Spatial Strategy reviews* report (page 67), in trying to assess pitch requirements beyond the initial 5-year plan period (up to 2021), concludes that "there is effectively no basis on which long-term predictions and assessments could be made". It makes an assumption of Gypsy and Traveller household growth rate of 3% a year compound, but concludes that it would be inappropriate to attempt to assess requirements now for the 2011-2021 period. EERA's draft Policy H4, however, calls for an annual 3% increase after 2011 in the level of overall residential pitch provision, based on planned provision in 2011.

This has the effect of reinforcing the prevailing trend in existing and planned provision. It would be far better for the actual level of provision achieved and the continuing rate of household growth to be monitored regularly, so that the level of need can be better assessed in the future. The RSS and Local Development Framework processes provide for annual monitoring reviews (as acknowledged in paragraph 5.19 of draft Policy H4).

Proposed change: Delete the requirement in Policy H4 for an annual 3% increase in provision after 2011.

4. Rural exception sites

Draft Policy H4 states that LDDs should consider the need for rural exception sites through criteria based policies. This approach is based on advice in paragraphs 47-48 of ODPM Circular 01/2006 that, where there is a lack of affordable land to meet local gypsy and traveller needs, LPAs in rural areas should include a 'rural exception site policy' in the relevant DPD. The intention is that rural exception site policies for gypsies and travellers should operate in the same way as rural exception site policies for housing.

Rural exception site policy for housing is defined in PPS3 paragraph 30. There it states that LPAs should consider allocating and releasing sites solely for affordable housing, enabling small sites to

be used specifically for affordable housing in small rural communities that would not normally be used for housing because, for example, they are subject to policies of restraint.

It is difficult to imagine a potentially more divisive and conflict-inducing policy than this. For a small rural community (a village) to have a Gypsy and Traveller site comprising perhaps 10-15 caravan pitches ‘tacked on’ to it, in a situation where ‘normal’ development is strictly regulated and there may be a severe shortage of ‘affordable’ housing, would have a completely disproportionate effect on that community and could cause extreme local resentment.

PPS3 states that 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” and this basic principle is carried over into Circular 01/2006. However, this is highly unlikely to apply to gypsies and travellers who, by definition, are “persons of nomadic habit”¹ and therefore not likely to already live, or to originate, in the rural settlement in question. In addition, the need for gypsies and travellers to be located close to where they are able to find suitable employment – which in another context is used as justification for locating them in ‘economically active’ areas – is hardly likely to be satisfied in a small rural community.

We conclude that it is highly inappropriate to apply rural exception site policy to the issue of providing accommodation for Gypsies and Travellers.

Proposed change: Delete “Local Development Documents should consider the need for rural exception sites through criteria based policies” from Policy H4.

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16 May 2008