

# GYPSY AND TRAVELLER ACCOMMODATION LOCAL PLAN

## Options Report

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Regulation 18 for consultation  
January - February 2020

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## Consultation Details

### This consultation is open for comments until 5pm on 21st February 2020

The public and other stakeholders are now invited to submit comments on the content of this Options Report and view the supporting documents.

- A digital copy of this document, supporting documents, response forms and site submission forms are available at: [www.ashford.gov.uk/consult](http://www.ashford.gov.uk/consult)
- You can register and make comments using the online portal (link above) which saves time and enables you to record your responses.
- The documents are also available to view in hard copy at the Civic Centre, Ashford and Tenterden Gateways, Wye and Charing libraries where forms can be collected.
- Hard copy comment forms and site submission forms can be requested by calling 01233 330229 or emailing [planning.policy@ashford.gov.uk](mailto:planning.policy@ashford.gov.uk) and we will post them out to you.

Where possible, information can be made available in other formats, including large print and other languages. To obtain one of these alternatives, please contact us on 01233 330229.

## Plan Terminology and Abbreviations

Throughout this report various terminology and abbreviations relating to the topic will be used. The most regularly used are listed below. A full list of definitions can be found at Appendix 1.

**Gypsy / Traveller** – All members of the Gypsy and Traveller community – not necessarily a particular race or ethnic group. National Planning Policy for Traveller Sites (**PPTS**), August 2015 sets out the definition of Gypsies and Travellers. For planning purposes, the Government defines Gypsies, Travellers and travelling showpeople as: *Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

**GTAA** - Gypsy and Traveller Accommodation Assessment 2018 - Research undertaken by consultants on behalf of the Council. This document assesses the current site and pitch provision and sets out the future accommodation needs for the travelling community in Ashford.

**Pitch** - A pitch can be singular or within a group of pitches on a larger site. A pitch contains the caravans and amenity spaces required for one Gypsy or Traveller 'household'. This is quite often static caravan, a tourer caravan, an amenity block, parking and outside space, but can be smaller or larger depending on specific household size and accommodation needs.

**Site** - A site which is occupied by or allocated for Gypsies or Travellers - this can contain more than 1 pitch.

## Chapter 1 - Introduction

1.1 Ashford Borough Council are committed to meeting the accommodation needs of the Gypsy and Traveller community within the borough, in the same way as the housing needs of the settled community are planned for. In order to meet the site and pitch needs, we are preparing this plan specifically to address this accommodation need. This consultation document seeks the views of Gypsy and Traveller communities, the settled community and stakeholders on options for specific policies to be included in the final plan.

1.2 The topics explored within this document are designed to highlight the key issues and suggest options for addressing these, following on from the first 'Issues and Options' consultation in April 2018. The format of the document is to provide some background information and then pose a series of 'options' as questions. The views received will feed into the next stage, which will be a draft of the plan including site allocations, planned for early next year (2020).

1.3 As part of this consultation, we are not yet identifying specific sites/pitches, but are seeking views on the site assessment process and options we will be looking at to meet the identified accommodation needs across the borough. There is the opportunity to raise further issues and options as part of this consultation and submit sites/pitches for consideration as potential options for allocation at the next stage.

### Why is this plan needed?

#### National Planning Policy and Legal Requirements

1.4 The Council has a responsibility through the [National Planning Policy Framework](#) (NPPF) and legal requirements to assess and plan for the housing needs of all residents, including the Gypsy and Traveller community.

1.5 [Section 124 of the Housing and Planning Act 2016](#) specifies that local housing authorities should consider the needs of people '*residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored*'.

1.6 [The Equality Act of 2010](#) provides protection from discrimination based upon, amongst other things, race. The courts have established that because of their ethnic group, Romany Gypsies and Irish Travellers are protected against race discrimination.

#### Planning Policy for Traveller Sites (PPTS)

1.7 The national [Planning Policy for Traveller Sites \(PPTS\) 2015](#) directs the process that must be followed in order to effectively assess and plan for this specific Traveller housing requirement. The Government's overall aim set out in the PPTS is '*to ensure fair and equal treatment for traveller, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community*'<sup>1</sup>.

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<sup>1</sup> Paragraph 3 of PPTS

1.8 The PPTS is an important document as it also amends the definition of who is considered to be a ‘Gypsy or Traveller’ for the purposes of planning (see Chapter 2). This definition change did not remove the obligation of the council to accommodate others who reside in caravans, however this obligation sits outside planning functions.

1.9 In order to meet the national planning requirements for this resident group, we are producing this plan for Gypsies and Travellers, which will identify suitable sites for them and will provide guidance that can be used when assessing planning applications for sites/pitches within the borough. This will promote community cohesion between all residents, reduce unauthorised and/or poorly located and designed traveller sites, and provide certainty for the traveller community in relation to permanent site and pitch availability.

### **Addressing Equality Issues**

1.10 The Council understands that extending and allocating new Gypsy and Traveller sites can be contentious. The settled community often considers that the travelling community has an ‘unfair advantage’ in planning terms, particularly with regards to unauthorised encampments. The travelling community often believes that inadequate provision is being made for their basic housing needs through the planning system, which leads to the unauthorised encampments coming forward. However, the PPTS is clear in its objective to ‘*promote peaceful and integrated co-existence between the [traveller] site and the local community*’.

1.11 The Traveller Movement charity support this view and also report that Gypsies and Traveller have the lowest life expectancy of any ethnic group in the UK and experience low education attainment, economic exclusion and community isolation also have a negative impact on gypsies’ and Traveller’ physical and mental health<sup>2</sup>.

1.12 If sites can be identified through this plan it will prevent the need for illegal encampments which often cause conflict with the settled community and provide sites in suitable and sustainable locations with good access to services for the Traveller community. It is better for all members of the community if sites/pitches can be identified by agreement in suitable locations and that clear criteria based policies are adopted for assessing new sites and also influence the layout and design of permitted sites and pitches.

1.13 Planning law requires that all applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Once this Local Plan is adopted as part of the development plan, all applications for Gypsy and Traveller sites and pitches will be assessed against the policies set out within it, alongside the Ashford Local Plan 2030.

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<sup>2</sup> Improving the health of Gypsies and Travellers, The Traveller Movement, 2015  
<http://www.Travellermovement.org.uk/wp-content/uploads/2015/01/Gypsy-Traveller-Health-Briefing-2015.pdf>

## Links to Ashford Local Plan 2030

1.14 The [Ashford Local Plan 2030](#) (adopted in February 2019) sets out the land that needs to be provided in the borough to accommodate new homes and jobs up to 2030. It contains planning policies and guidance to ensure local development is built in accordance with the principles of sustainable development, and is the main document in the Development Plan.

1.15 It was initially intended that all Gypsy and Traveller site allocations, along with topic policies, would be included in the Ashford Local Plan 2030, but during the development it became evident that insufficient sites had been put forward to meet the expected need for new pitches. It was proposed that Gypsy and Traveller policies would be detached from the main Local Plan to allow further time to explore ways in which the required number of pitches could be delivered. This also allowed further time for a new Gypsy and Traveller Accommodation Assessment (GTAA) to be produced.

1.16 The Ashford Local Plan 2030 still went some way to meeting the need and allocated three new pitches through Policies S43 at Biddenden and S44 at Westwell, which have all been delivered. In addition, Policy HOU16, allows for suitable ‘windfall’ (unidentified) pitches to come forward to further contribute to the supply, where they meet a set of criteria. This combined approach has already successfully delivered 10 new pitches across the borough since April 2018. However, this approach did not meet the full accommodation needs set out in the updated evidence base (2018 GTAA) and this is why we need this separate Local Plan.

1.17 Policy HOU17 was also adopted in the Local Plan 2030 and safeguards existing sites and pitches in the supply. More information on Policies HOU16 and HOU17 can be found later in this report.

1.18 Once adopted, this Gypsy and Traveller Accommodation Local Plan will become part of the boroughs Development Plan. The policies included in this plan will be used alongside the Ashford Local Plan 2030 to guide development management decisions for Gypsy and Traveller sites through the planning process. As a Local Plan, this document can retain, amend or supersede existing policies relating to Traveller sites in the Ashford Local Plan 2030.

## Plan Objectives

1.19 The Council identified draft objectives for this plan in the Issues and Options in 2018. Feedback from that consultation was very limited but suggestions were provided on the wording of the objectives which have been reviewed. Adoption of the Ashford Local Plan 2030 in February 2019 also changed the local context. The revisions to the objectives set out below ensures that the objectives are in accordance with the requirements of national and local policy, the PPTS and legal obligations.

### Objectives

1. To establish the need for borough-wide Traveller pitches throughout the plan period to 2030.
2. To set out an approach to meeting the pitch need with a supply of ‘deliverable’ pitches over 5-years and ‘developable’ pitches for the plan period, which will in turn reduce unauthorised sites in the borough.
3. To identify sites/pitches in non-isolated locations with access to local services, whilst ensuring they do not dominate settled communities and local infrastructure is not placed under undue pressure.
4. To identify sites/pitches and include criteria based policies for windfall sites/pitches, which protect the local environment and landscape.
5. To create design policies for Traveller sites and pitches to ensure they provide acceptable internal layout and design which protects residential amenity for both the Traveller and settled communities.
6. To establish a monitoring framework to record delivery of new sites/pitches and maintain an annual assessment of pitch need and supply.

#### Options Question 1: Plan Objectives

**Option 1** – Support the objectives of the plan

**Option 2** – Disagree / propose changes to objectives

Please explain your answers

## Chapter 2 - Identifying the Need for Gypsy and Traveller Pitches in Ashford

### The Gypsy & Traveller Accommodation Assessment 2018

2.1 An up to date Gypsy and Traveller Accommodation Assessment (GTAA) was needed to fulfil the council's obligations under Policy A of the PPTS, which requires that councils assemble a 'robust' evidence base to establish accommodation needs'<sup>3</sup>. A GTAA informs the preparation of the plan by providing an indication of the number of pitches the site policies in the plan needs to provide.

2.2 In order to respond to changes in the PPTS to reflect the amended definition of travellers, and to bring our evidence base up to date in preparation for the plan, the Council commissioned a consultant (ARC4) to carry out the GTAA on our behalf. The survey work was conducted in winter 2017/2018 and was carried out in conjunction with other authorities across East Kent.

2.3 The assessment was carried out in four phases:

- 1) Literature/desk based review and steering group.
- 2) Fieldwork survey and interviews with gypsies and travellers
- 3) Stakeholder survey
- 4) Needs assessment and report drafting.

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2.4 The GTAA separates the need between those residents who meet the planning definition of Gypsy and Travellers set out in Annex 1 of PPTS, and those who, whilst culturally defining themselves as Gypsy or Traveller, do not meet that current planning definition. We refer to these different calculations as 'PPTS Need' and 'Cultural Need' in this document. Overall, PPTS Need is a lower amount of need than Cultural Need. **See from paragraph 2.14 - Page 10 for more information on this definition issue.**

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2.5 The GTAA breaks down the total needs into 5 year and then 7-year periods in order to distinguish a 5 year need (both cultural and PPTS). Those pitches that are temporary or that do not have permission count towards our need rather than supply and therefore the overall need is weighted significantly towards the first five years. The full 2018 GTAA report can be viewed here: <http://www.ashford.gov.uk/traveller-dpd>

### GTAA Need Assessment

2.6 Ashford's overall 5-year 'cultural' need was identified as 194 pitches in the GTAA. Subtracting the supply (140 pitches at the time of the GTAA) this created a 5-year pitch need of 54. However when reduced to those only considered to meet the PPTS definition this is calculated as a 5-year need for 37 pitches.

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<sup>3</sup> Planning Policy for Traveller Sites August 2015, p. 2

2.7 A longer term need, across the plan period to 2030, also needs to be factored in to the calculations for this plan. The GTAA calculated this requirement through modelling using the collected household data and the ages of children. This modelling assumes 50% of children, once aged 18, will form a new household and this equates to a cultural need of an additional 28 pitches, reduced to 17 for those only meeting the PPTS definition.

## Current Need Assessment

2.8 Continuing work on the site and pitch detailed assessments and through the bi-annual caravan counts has enabled officers to re-assess the current pitch supply and the data used for the base date of the GTAA (April 2018). This has highlighted some discrepancies or administrative errors in the original GTAA data. These have now been rectified, which has led to the identification of an additional existing supply of 8 pitches in the borough than originally counted and we have updated the baseline to reflect this (See 2019 figures in Table 1 below).

2.9 Also, since the April 2018 base date of the GTAA, there have been a number of planning permissions granted for permanent pitches including 3 pitches on the Local Plan 2030 site allocations. This has provided an additional supply of 10 pitches (as of December 2019).

2.10 Using the factually updated supply data detailed above of the additional 8 pitches and the new supply of 10, the remaining need figure has been updated, shown in Table 1 on the next page.

2.11 As set out in the section above, the Table shows the pitch need for all those that culturally consider themselves as Gypsies and Travellers (Cultural Need), and then is reduced to show the need if only those that meet the PPTS definition are considered (PPTS need). More information about the PPTS planning definition of a Gypsy and Traveller can be found in the next section of this report (page 10).

**Table 1: GTAA Need (April 2018) Vs Current Need (November 2019)**

Need	Cultural Need		Of which: PPTS Need	
	GTAA 2018 data	Updated 2019 data	GTAA 2018 data	Updated 2019 data
5-year pitch need (2017/2018 to 2021/22)	54	46*	37	32*
Longer term need (2022/23 to 2030)	28	28	17	17
<b>Total Pitch need to 2030</b>	<b>82</b>	<b>74</b>	<b>54</b>	<b>49</b>
<b>Minus 10 Pitches delivered since April 2018</b>				
<b>Remaining Pitch Need</b>	<b>72</b>	<b>64</b>	<b>44</b>	<b>39</b>

2.12 \* The GTAA originally counted PPTS need as 69% of Cultural need – this % has been continued in the 2019 data update so the Cultural Need is reduced by 8 pitches and PPTS Need is reduced by 5 Pitches.

2.13 The data for current pitches and the evolving supply will continue to be monitored and updated at each stage of the plan production. See Chapter 6 for more information on how we propose to monitor pitch supply.

## PPTS Definition Need Vs Cultural Need

### What is the PPTS definition of a Gypsy or Traveller?

2.14 The PPTS 2015 Annex 1<sup>4</sup> revised the definition of who is considered a Gypsy or Traveller for planning purposes. This revision no longer includes those who have ceased travelling permanently for any reason. The PPTS only requires councils to meet the accommodation needs of gypsies and Traveller who meet the revised PPTS definition.

2.15 However, further research into this subject is ongoing. In September 2019, the Equality and Human Rights Commission published a research report<sup>5</sup> on the topic, which highlights that a number of the population still wish to live a nomadic way of life and culturally consider themselves as a Gypsy or Traveller, even if they do not meet the PPTS definition (as they no longer travel).

2.16 The report concludes that not meeting the needs of ‘non-PPTS’ (cultural need) Traveller may not be in accordance with the Equality Act 2010, as it adds to the inequalities already faced by the cultural group with regard to access to accommodation. It will also affect the elderly and others within the traveller community who can no longer travel for health reasons.

2.17 The research report highlights several authorities that have approached the cultural need or PPTS need issue in different ways to address this. We wish to obtain views on this issue as part of this consultation, as to how it could be addressed in this plan. As detailed in Table 1 (section above), PPTS need calculates at approximately 69% of the cultural need, so there is a large difference in pitches that the plan would need to deliver.

2.18 The first option is to meet the ‘PPTS definition’ only pitch needs through allocation in the plan (39 pitches). The PPTS is the latest adopted national planning policy position and sets the new definition, with no requirement to meet needs of those that only meet the cultural definition. However, the plan would need to be clear that the remaining cultural need (25 pitches) would be met through general housing need assessments and dealt with as part of the Ashford Local Plan 2030 review.

2.19 A second option is to meet the full ‘Cultural’ pitch needs through pitch allocation (64 pitches). This would meet the needs of all those who identify as a Gypsy or Traveller, regardless of whether they have ceased travelling permanently and do not meet the PPTS definition. This would ensure that all members of this community have the housing needs addressed specifically through this plan, would ensure that obligations under Equality Act have been met, and provide a more robust position when assessing future planning applications for those that do not meet PPTS needs.

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<sup>4</sup> [PPTS August 2015](#)

<sup>5</sup> [Research Report 128 – Gypsy and Traveller Sites: the revised planning definition’s impact on assessing accommodation needs](#)

2.20 Option three is that specific pitch allocations can be made to meet PPTS need only and Cultural need applications are dealt with through a separate criteria based ‘windfall’ pitch policy, rather than specific allocation of a site. This could be included as an amendment to adopted Policy HOU16 (windfall pitch policy – see Question 7), but with clear targets and monitoring for ensuring that it delivers the ‘cultural need’ pitches set out as the need in the GTAA, in addition to any emerging or unknown PPTS need not allocated for.

### Options Question 2: PPTS v Cultural Need

#### Which need calculation option do you think this plan should deliver?

**Option 1** – Meet PPTS need only (39 pitches) through pitch allocation in this plan and remaining cultural need (25 pitches) will be addressed at Ashford Local Plan 2030 review

**Option 2** – Meet full Cultural need (64 pitches) through pitch allocation in this plan

**Option 3** – Meet PPTS need with pitch allocation (39 pitches) and additional Cultural need through a ‘windfall’ policy (HOU16 or alternative)

Please explain your answers

### Maintaining a 5-year pitch supply – do we need a ‘buffer’?

2.21 The PPTS requires us to have a **continuous** 5-year supply of suitable sites/ pitches, which are ‘deliverable’<sup>6</sup>. However, the majority of traveller sites are on private land and there are a number of different groups within the travelling community. It is acknowledged that each group has different cultures and site needs and some do not easily share sites. This means that some of the sites / pitches that get allocated in this plan at the next stage, may not end up being available or delivered as expected, which could create a situation in future that there is a risk of not having a 5-year supply, even when allocating pitches to meet the needs.

2.22 Without a 5-year supply of sites/pitches the council fails to meet its obligation under PPTS which has a number of effects. This can directly impact on the wellbeing of the traveller community and, like with housing for the settled population, an insufficient supply weakens the council’s ability to resist development in inappropriate locations, leading to appeal permissions on potentially unsuitable sites.

2.23 One option for reducing this risk is to provide a pitch ‘buffer’ allowance over and above the need identified in Table 1 above. This would enable the Council to retain a continuous 5-

<sup>6</sup> [PPTS 2015 definition of deliverable](#) – ‘To be considered deliverable, sites should be available now, offer a suitable location for development, and be achievable with a realistic prospect that development will be delivered on the site within five years’.

year supply in the event that an allocated site/pitch does not come forward, and account for any unknown group or family needs that may emerge over the plan period.

2.24 However, there is no target or guidance for what a ‘buffer’ should be. It is also dependant on resolving other issues outlined in this report, such as whether need delivered by this plan is ‘cultural’ or ‘PPTS’ (see question 2). The higher the pitch supply buffer, the less risk of there is of unsuitable sites obtaining permission or unauthorised sites coming forward.

2.25 A number of sub-options are outlined in Option 1 below about how a ‘buffer’ could be calculated using a percentage of the Cultural or PPTS needs set out in Table 1 on page 9 or another calculation, which we are asking for views on. Option 2 is that there should not be a buffer and that the plan should only meet the identified needs (Cultural or PPTS).

### Options Question 3: Pitch ‘buffer’ Allowance

**Do you think the plan should provide more allocations / allowance for pitches over the identified need figure to create a ‘buffer’ of pitch supply?**

**Option 1** – Yes, support buffer allowance (3 sub options)

**1a** - As a % of Cultural need – what % is suitable?

**1b** - As a % of PPTS need – what % is suitable?

**1c** - As a set pitch number – what pitch number is suitable?

**Option 2** – No, do not support additional pitch supply buffer – just provide for identified need.

Please explain your answers

### Transit sites

2.26 In addition to the need for permanent pitches to meet the identified needs, the GTAA identifies a requirement for transit site within the borough to meet the short-term accommodation needs of households travelling through. Based on evidence of unauthorised encampment activity, they recommend that 3-5 pitches would address this need.

2.27 Identification of a transit site is difficult as this would likely need to be in public ownership, and managed, monitored and maintained. It may need to be of a size larger than suggested by the GTAA to enable use for larger travelling groups or more than one group. It would also need to be located in a suitable area of the borough; preferably, the urban area close to main transport routes to ensure it met the needs of those travelling through and prevent unauthorised encampments.

2.28 Many of our neighbouring authorities have also had a transit site need identified. Option 1 is that Ashford seeks to address the transit need with our direct neighbouring authorities and Kent County Council (KCC) as a Kent-wide issue, as households travelling through Kent are unlikely to require a transit site within each borough. At present, no discussions have taken

place, and therefore the details of how this may work in practice, such as which borough/s would be most suitable and the size of the sites have not been considered.

2.29 There are other options for addressing this issue including the potential of transit pitches being provided within a public site (existing or new) or an allocation of a specific transit site for 3-5 pitches within the borough identified in this plan (options 2 and 3 below).

#### **Options Question 4: Transit Site**

**Option 1** – Seek to address transit site need with neighbouring Kent authorities and KCC as a Kent-wide issue.

**Option 2** – Address Borough transit need within public site/s (existing or new)

**Option 3** – Address Borough transit need through specific site allocation

Please explain your answers

#### **Travelling Showpeople sites**

2.30 The GTAA did not identify a need for Travelling showpeople sites during the plan period and in any event, current Policy HOU16 allows for travelling showpeople sites subject to meeting a number of site specific criteria. Therefore any ‘windfall’ need coming forward in the future can be assessed this way. This consultation document deals with the retention of policy HOU16 following adoption of this plan - see Question 7 (page 21). If policy HOU16 is not retained or is amended, this plan may need to consider a replacement policy specifically for this Travelling Showpeople need.

## Chapter 3 - Site and Pitch Assessments

### Sustainability Appraisal

3.1 Where Local Plan documents are prepared that have the potential to have significant social, economic or environmental effects, a process known as a Sustainability Appraisal (SA) is undertaken. SA is a statutory requirement of the Planning and Compulsory Purchase Act 2004 and is designed to test a policy document for soundness through the use of social, economic and environmental criteria and promote sustainable development by integrating sustainability considerations into the preparation and adoption of plans.

3.2 The SA process has also been tailored to incorporate the requirements of the European Strategic Environmental Assessment (SEA). The SEA is a process to ensure that plans and policies with land use implications also consider an assessment of the current state of the environment, any significant effects on it and potential mitigation. The overall aims of the combined SA/SEA process are to:

- Make the plan as sustainable as possible by integrating sustainable development into all stages of the plan making process
- Provide a high level of environmental protection and balance in the plans preparation
- Allow the public and stakeholders to input into its production through consulting on the SA process at different stages
- Provide an environmental, social and economic audit at appropriate levels

#### Scoping Report

3.3 The Scoping Report is the first stage of SA/SEA preparation and includes borough data and facts and figures such as population, demographics, and specific data relating to Gypsies and Travellers and the boroughs land and environmental designations. This evidence collation led to the creation of a Sustainability Appraisal Framework (SA Framework) which will be used to assess the policies and the sites proposed for inclusion in the plan throughout its evolution. .

### Site Assessment Criteria

3.4 The published SA Framework within the Scoping Report (see above) contains a set of specific site assessment criteria and associated 'scoring' which will be used to assess the sites and pitches for suitability for allocation in the next version of the plan.

3.5 There are 12 overall objectives set out in the SA Framework which cover a broad range of issues and questions that can be used to assess whether a site or pitch is the most sustainable and suitable location for Gypsy and Traveller accommodation to be provided. The Scoping Report can be viewed as a supporting document to this consultation but the proposed site assessment criteria under each objective is summarised below under each objective title.

## **1 – BIODIVERSITY**

3.6 Many existing and potential traveller sites are located within the rural areas of the borough, and therefore have potential to impact on protected biodiversity and ecological important sites. The SA Scoping Report outlines a number of set criteria that will be assessed to check effects of a site on internationally and nationally designated habitats, wildlife sites and nature reserves, ancient woodlands and other habitat networks such as ponds, hedges and trees, Biodiversity Opportunity Area's (BOAs) and Green corridor. Those sites which impact on and harm these environmentally important sites will score more negatively.

## **2 – LANDSCAPE**

3.7 The borough contains two Areas of Outstanding Natural Beauty (AONB) which have a higher level of protection than other landscapes. It is directed that these should be protected and enhanced where possible. Sites within them or the setting of them will score more negatively than those outside of the landscape designation. There are also other assessments to be made in relation to local landscape character, settlement character and whether sites/pitches will negatively impact on this or views to/from these features.

## **3 – CULTURAL HERITAGE AND ARCHAEOLOGY**

3.8 The borough contains a number of heritage assets including Conservation Areas, Listed Buildings, Archaeological sites, Registered Parks and Gardens and Scheduled Monuments. Sites will be assessed to determine if they help improve access to, and understanding of, historical and cultural assets and/or preserve, and where possible, enhance the character and setting of these historic/cultural assets. Historic England suggested this approach at Issues and Options stage.

## **4 – WATER**

3.9 The PPTS highlights the particular vulnerability of caravans in relation to flood risk which makes this topic of particular relevance to these assessments. During the Issues and Options consultation, KCC flood team highlighted a number of issues in relation to surface water flooding and ensuring that the EA flood map is considered. They also suggest due consideration is given to possible surface water flood rates. These issues will be assessed as part of site scoring and sites within designated flood zones or which create drainage issues will be scored negatively.

## **5 – HOUSING**

3.10 Ashford is one of five local authorities with the highest proportion of people who identified as Gypsy or Irish Traveller. The GTAA 2018 data states that the 531 Gypsy or Irish Traveller individuals resided in 167 households. As part of the 167 households, 120 households live in bricks and mortar accommodation and 47 households living in a caravan or other mobile or temporary structure.

3.11 The GTAA identifies a clear need to provide accommodation for this ethnicity group so sites / pitches which contribute to this need will score positively.

## 6 - ACCESS TO SERVICES AND SOCIAL INCLUSION, 7 - HEALTH AND WELLBEING AND 8 - SUSTAINABLE TRAVEL

3.12 These objectives have been grouped together due to these linkages between the subjects.

3.13 The health status of Gypsies and Traveller is known to be much poorer than that of the general population<sup>7</sup>. Poor access to, and uptake of, health services is a major factor and the PPTS seeks to enable provision of suitable accommodation from which Traveller can access health and welfare infrastructure.

3.14 The PPTS seeks to ensure that children can attend school on a regular basis and to enable provision of suitable accommodation from which Traveller can access education infrastructure. The skills / qualifications attained by Traveller in the borough is consistent with the trend at the national level in that a high proportion of the population (aged 16 and above) have no qualifications.

3.15 There are many complex and interwoven factors that may influence the educational attainment of Traveller pupils. The highest proportion of Gypsy or Irish Traveller in the borough falls within the 0-14 age category at 39%. Schools and local authorities can make a big difference to their life chances through:

- clear high expectations of all pupils, regardless of their background
- an inclusive culture that welcomes all communities
- strong engagement from parents<sup>8</sup>

3.17 The Traveller Movement charity supports this view and also report that Gypsies and Traveller have the lowest life expectancy of any ethnic group in the UK and experience higher infant mortality rates than the settled community. Poor living environment, low education attainment, economic exclusion and community isolation also have a negative impact on Gypsies' and Traveller' physical and mental health<sup>9</sup>.

3.18 This reinforces the need to provide sites to allow for a settled base, nearby to existing settlements with these types of local services.

3.19 Therefore sites/pitches which are located in isolated locations or areas of deprivation will be scored negatively, and sites which are closer to settlements with services such as GPs and Schools will score more favourably.

3.20 In addition, sites which have poor vehicle access points, or that do not have good access to footpaths, bus stops and other sustainable travel options in order for residents to access local services and employment will score less favourably.

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<sup>7</sup> The health of Gypsies and Travellers in the UK, A Race Equality Foundation Briefing Paper, Matthews, Z. 2008 (Available: <http://www.Gypsy-Traveller.org/wp-content/uploads/health-brief.pdf> )

<sup>8</sup>Gypsy, Roma and Traveller pupils: supporting access to education, Department for Education (Available: <https://www.gov.uk/government/case-studies/Gypsy-roma-and-Traveller-pupils-supporting-access-to-education>)

<sup>9</sup> Improving the health of Gypsies and Travellers, The Traveller Movement, 2015 <http://www.Travellermovement.org.uk/wp-content/uploads/2015/01/Gypsy-Traveller-Health-Briefing-2015.pdf>

## 9 - INFRASTRUCTURE DELIVERY AND AVAILABILITY

3.21 The PPTS Policy C states that *'When assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community'*. One aspect of this is to consider the local service provision and infrastructure and whether these would be placed under undue pressure from the identification of a site/pitch in the area. For example, due to the health and education issues mentioned above, whether a local GP surgery or local school has capacity for new residents is an important consideration.

3.22 In addition, there are a number of other site infrastructure needs such as water, drainage, sewerage and electricity connections, which will need to be provided on new sites and these issues will be addressed as part of the overall assessment when determining suitable future site allocations.

## 10 - LAND USE AND GEOLOGY

3.23 Sites or pitches that are on previously developed land (Brownfield land) or those that would re-use a redevelop and existing site or building will score more favourably than greenfield sites that have not been previously developed.

## 11 - MINERALS, WASTE AND SOIL

3.24 The borough contains a number of land classifications which include sites reserved for minerals, regionally important geological sites and high quality farming land such as Grade 1&2 agricultural land. Sites/pitches which are located in these important classifications will be scored negatively.

## 12 - SUSTAINABLE ECONOMIC GROWTH, EMPLOYMENT AND SKILLS

3.25 Within the Ashford borough, there are higher rates of economically active Gypsy or Irish Traveller respondents than nationally, at 51.7%. Within the economically inactive population, the largest proportion were 'looking after home or family' of 33%, followed by 27% as 'Long-term sick or disabled'.

3.26 The PPTS makes it clear that providing sites that meet the needs of the traditional live/work lifestyle of travellers, for example, by providing enough storage or employment space alongside the residential space, will score more positively as these sites will be supporting the local economy.

### Options Question 5: Site Assessment Criteria

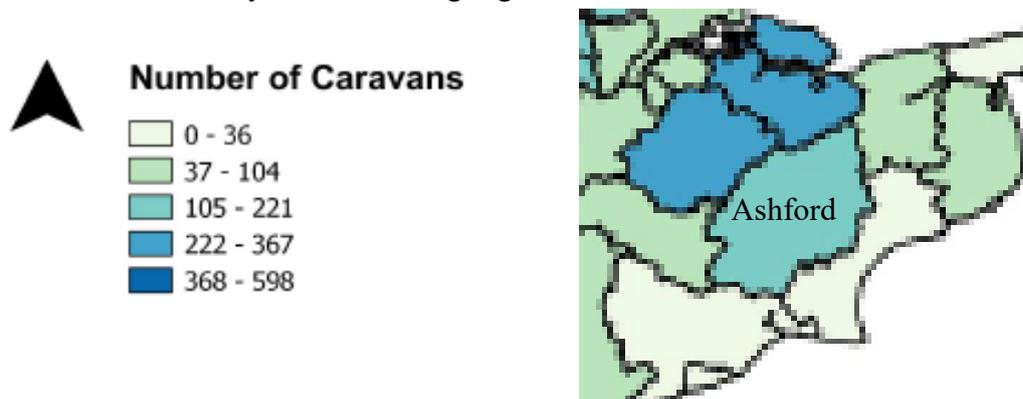
**Option 1** – Support proposed site assessment criteria

**Option 2** – Suggest changes or additions to site assessment criteria

Please explain your answers

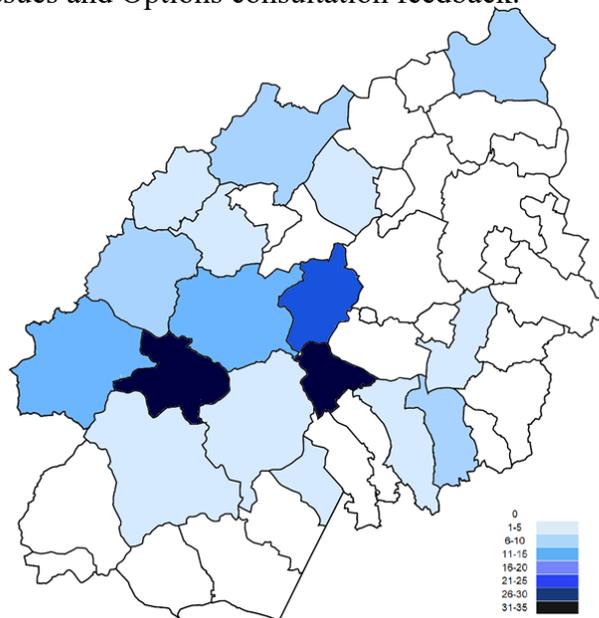
## Borough pitch distribution and Family Needs

3.27 The Gypsy and Traveller population of Ashford has historically settled to the west and north of Ashford. This is due to the settlement pattern of travellers within Kent itself, where there are higher populations within the neighbouring authorities to the north and North West of Swale and Maidstone and lower towards the south and east coasts in Folkestone and Hythe and Rother. The extract of the map below is taken from the latest published authorised caravan count data of January 2019<sup>10</sup> and highlights the differences in the South East.



**Map 1- Kent wide caravan count data** (Source: Number of Authorised Caravans – January 2019 - Extract from MHCLG Count of Traveller Caravans January 2019 England)

3.28 Due to these patterns, some parishes in the borough have a higher number of Gypsies and Traveller in residence. The image below shows the broad settlement patterns, by Parish, of where the Gypsy and Traveller community live in Ashford borough. This was highlighted as a particular issue in the Issues and Options consultation feedback.



**Map 2 – Broad distribution of Traveller Sites in Ashford by Parish - January 2019**

<sup>10</sup> Ministry of Housing, Communities and Local government (MHCLG) – Count of Traveller Caravans January 2019 England

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/806650/Traveler\\_Caravan\\_Count\\_Release.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/806650/Traveler_Caravan_Count_Release.pdf)

3.29 The PPTS Policy C states that *'When assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community'*. It is therefore essential to consider the geographical concentration of current sites when addressing the possible location of new or extended sites in order that the overall scale and impact can be assessed.

3.30 We will also assess local services where a site may be in one parish but due to infrastructure and proximity to other villages (within or outside the borough) it might have a greater impact on another settled community than the parish it is located within, or create an unsustainable cumulative pressure.

3.31 However, there is also the issue of family needs to be balanced with the pitch distribution assessment. As set out and calculated for in the GTAA, the need for additional pitches is often derived from the need to accommodate additional family members as they grow older and seek their own accommodation. Culturally, Gypsy and Traveller communities often live and travel together in family groups, even after forming new households through marriage. This may require the expansion of a site to include either an additional caravan, or an additional pitch on a larger site.

3.32 As it may be unrealistic to assume family groups would relocate completely to a new part of the borough as their needs change, existing site expansion is being considered as one of the options for new pitch delivery (see Chapter 4) . It is proposed as Option 1 below that part of the site assessment process for sites requiring expansion will be to address the issue of borough distribution and the family needs as an overall balanced assessment. We are seeking views on this below, and option 2 provides the opportunity to object to this approach and provide further comments on this issue.

### **Options Question 6: Borough Distribution and Family Need Balance**

**Option 1** – Support proposal to consider borough distribution and family expansion needs as a balanced assessment.

**Option 2** – Do not support proposal to consider family needs as part of the borough distribution assessment.

Please explain your answers

## Chapter 4 - Identifying a robust site/pitch supply

4.1 This plan will be central in delivering sites to meet the council's pitch need set out above and this can be achieved in a number of ways:

- expansion or regularisation of **existing sites** to increase pitch numbers
- **allocating new** small family pitches or larger multiple family sites which include multiple pitches
- provision of a **new public pitch**
- continuing the '**windfall**' approach which allows pitches to come forward if they meet criteria (through Policy HOU16 or replacement)
- allowing for some '**turnover**' (outward migration) on existing public pitches

### Existing sites

4.2 Local evidence, identified from the bi-annual Gypsy counts and planning history suggests that travellers in Ashford tend to reside on small private sites which accommodate their immediate and extended family.

4.3 Over half the demand for new pitches identified in the GTAA is generated through new family formation. This can often be where children currently resident on sites reach an age where they are likely to need their own accommodation at some point in the plan period. Such accommodation is initially likely to be sought on existing family sites with the creation of an additional pitch.

4.4 There are also some sites with additional pitches in the borough which may have a temporary permission or have been 'tolerated' over time and these have not been formally identified by the GTAA as part of the permanent pitch supply.

4.5 During June and July 2019, Gypsy and Traveller sites across the borough were visited to try to build up an understanding of where there may be extra site capacity and how this was linked to the future need of each site. A number of sites indicated that they had capacity for additional pitches

4.6 Whilst some of these sites may not be suitable for expansion or permanent pitch provision due to environmental or other factors, some of these may be well-related to services and facilities and which would not negatively impact on local character and landscapes are considered to be one of the most deliverable options for future pitch supply.

4.7 The impact of new traveller accommodation on existing communities and how well proposals can be integrated is also an important consideration in the determination of applications for site enlargement. We will include all factors in the full SA assessment process so that we can assess their suitability and ensure we allocate the most sustainable sites/pitches as set out in chapter 3.

4.8 This consultation is also an opportunity for travellers and other residents to suggest specific sites for enlargement or regularisation.

### **Call for sites/pitches – Existing**

Are there any specific existing sites/pitches which meet the criteria set out above for family expansion, regularisation, or temporary sites which could be made permanent?

Please provide details on a site submission form.

### **Allocating new sites**

4.9 In addition to the options around existing sites, the Council also needs to consider the availability of new sites/pitches across the borough in order to meet the needs identified in the GTAA and to take into account the borough distribution issues outlined in Chapter 3.

4.10 New sites will be assessed in the same way as those for extension which will include a range of considerations such as impacts on the environment and landscape, impact on the residential amenity, access to services and impact on the nearest settled community.

4.11 This consultation is an opportunity for Gypsies, Traveller and other residents to suggest specific new sites to be considered for allocation in the next stage of this document.

### **Call for sites/pitches – New**

Are there any currently unidentified sites/pitches which meet the criteria set out above for allocation as a new single pitch or family site?

Please provide details on a site submission form.

### **‘Windfall’ supply and Policy HOU16**

4.12 Policy HOU16 of the adopted Local Plan 2030 allows for windfall (currently unidentified) pitches to be delivered, subject to a set of detailed criteria relating to site size, location, living environment, access to local services, on-site services, constraints such as landscape and biodiversity designations, and their scale in relation to the nearest settlement, in accordance with the PPTS guidance.

**Policy HOU16 - Traveller Accommodation**

**Planning permission for the expansion to existing sites or new sites to accommodate Gypsy and traveller accommodation or accommodation for travelling showpeople, will only be permitted outside of allocated sites if the following criteria are met:**

- a) The proposals cannot be accommodated on an existing available site or allocated site;**
- b) The site would not accommodate more than 5 pitches or make an existing site exceed 5 pitches in size;**
- c) The site would provide a good living environment free from the risk of flooding and risks to health through contamination, noise or pollution;**
- d) Local services and facilities – such as shops, public transport, schools, can be readily accessed from the site;**
- e) The site is capable of being provided with on-site services such as water supply, sewage disposal and power supply;**
- f) The form and extent of the accommodation does not adversely affect the visual or other essential qualities of the AONB and its setting, SSSI, Ancient woodland, international, national or local nature reserve or wildlife site;**
- g) Access to the site which does not endanger highway safety for vehicles and pedestrians can be provided;**
- h) Proposals incorporate a landscape strategy, which will be required by use of planning conditions, where mitigation of the impact on the landscape is necessary to protect the quality of the surrounding landscape;**
- i) The scale and siting of the site, along with its design, layout and any boundary treatments, should take into account the key characteristics of Landscape Character Area within which it is located; and,**
- j) New sites or enlargement of existing sites are of a scale appropriate to their surroundings and would not individually or cumulatively dominate the nearest settled community, cause significant visual harm to an area and its landscape, or unduly impact on the capacity of local services.**

4.13 The supporting text of the policy states that the policy will be applied until adoption of this specific plan, which will allocate pitches to meet the identified need.

4.14 However, this windfall approach has already delivered a number of pitches (7 since April 2018) against the identified need. It is expected that following allocation of pitches in this plan that the need for windfall delivery of pitches will be less frequent, but there may be circumstances over the plan period where currently unidentified sites/pitches may still come forward to meet a particular household need that cannot be met on one of the allocated sites.

4.15 It is suggested that this policy could be retained following adoption of this Plan, and that the Council can continue to monitor windfall pitch delivery as part of the borough supply. This could be used as a ‘buffer’ in our supply, to counteract any non-delivery of site allocations (Option 1a). More information on using a supply ‘buffer’ can be found at Question 3 of this document.

4.16 The second option (1b) is that windfall supply could be determined as a specific amount of future delivery, as it is for general market housing. In these instances, NPPF advises that the estimated amount of future windfall is based on historic evidence of previous windfall delivery. However, as there has been no traveller site allocations in place to meet the needs for many years, the windfall evidence cannot be calculated in this way. We could calculate the estimated windfall as a certain percentage of the historic delivery, or we could calculate all pitches permitted by the Council under HOU16 and discount those granted on appeal. If this option for

calculating some of the windfall delivery as supply is supported, we are inviting views on these potential calculation methods (Option 1b below). Option 1c below can be selected if you do not think that any windfall allowance should be counted towards the supply of pitches.

4.17 As this Plan can delete, amend or supersede the adopted windfall policy (HOU16), we are also seeking views on Policy HOU16 and its purpose in Question 2 below. Do you think the assessment criteria in HOU16 is still effective and appropriate or that the policy should be amended or deleted?

4.18 It is also of note that Policy HOU16 also allows sites and plots to meet the needs of Travelling Showpeople, and if the policy is not retained this plan would need to address this as a separate policy issue. See page 13 more information on this specific need.

### Options Question 7: Windfall Supply and Policy HOU16

**Question 1** – Should we count windfall pitches in our supply?

**Option 1a** – As supply ‘buffer’ only – do not include in supply figures

**Option 1b** – Count a % of windfall towards supply. How should this % be calculated?

**Option 1c** – Do not count any windfall pitches as supply

**Question 2** – Should policy HOU16 be retained/amended/deleted?

Please explain your answers

### Chilmington Public Site Turnover

4.19 The council provides and manages 16 public pitches to rent at its Chilmington site and this is an important resource, both in terms of contributing to the borough’s pitch provision for those than cannot buy pitches privately as well as providing alternative options to help deal with unauthorised encampments.

4.20 The Council will ensure the long term retention of this site for Gypsy and Traveller use by maintaining ownership, but is exploring options to transfer management of the site to a third party. This has been identified as the most practical and achievable way of retaining the supply for those who are unable to secure their own private site.

4.21 The site provides an ongoing supply, and when residents move in and out of the site it is known as pitch ‘turnover’. Evidence of pitch voids show that this turnover of pitches is an average of 2 each year over a 10 year period. It is therefore a potential supply option against the need requirements identified in the GTAA and as there are 16 pitches there could potentially be 32 pitches becoming available at some point over the remaining 10 year plan period to 2030.

4.22 However, there is no firm evidence to suggest that vacated pitches on Chilmington will definitely become available within 5-years or the plan period, or that they will be vacated by travellers leaving the borough to move elsewhere, therefore no longer having an accommodation ‘need’ in Ashford. If moving within the borough, the overall need would not be reduced by turnover. A West Oxfordshire appeal decision found the authority ‘unsound’ for including turnover in supply figures if there was no evidence of outward migration.

4.23 There are a number of options to be explored which we would like your views on. Option 1 would be to count all the estimated turnover as ‘supply’ over the plan period. As stated above, this position is considered to be a high-risk strategy if there is no evidence that the occupants are leaving the borough when they leave the site.

4.24 Option 2 is to count a reduced amount, for example 50%, of the turnover - this would result in a supply of 16 pitches to 2030. This would potentially account for those that have not left the borough but have moved within it but still carries a degree of risk as it is estimated, and cannot be evidenced that this 50% calculation of those moving out of the borough would be reality. Option 3 requests views on a different calculation method.

4.25 Option 4 would be to monitor the pitch occupation and turnover at Chilmington and record only those pitches in the supply that are known to have become vacant due to the occupant leaving the borough. This would enable a factual position to be recorded on whether it can be counted towards pitch supply.

4.26 However, this would mean that the supply could not be counted towards the identified pitch target now in the plan, but it could provide a future ‘buffer’ of additional pitches over the need, to meet any unidentified needs which may arise in the borough during the plan period. This unidentified supply is known as ‘windfall’ and will provide additional pitches which reduces risk of not having a 5 –year supply in the event of allocated sites not coming forward.

### Options Question 8: Chilmington Turnover

How should we count Chilmington turnover as Supply?

**Option 1** - Count all 32 pitches as ‘supply’ over the plan period

**Option 2** - Reduce it by 50% to balance outward migration – count 16 pitches in supply

**Option 3** – Reduce by a different amount than suggested above

**Option 4** - Retain as part of a supply ‘buffer’ only (as ‘windfall’ supply not a set calculation)

Please explain answers

## Provision of a new public site

4.27 It is accepted that it may not be the most reasonable option to accommodate all the identified pitch need on new or existing private sites as historically the council has had difficulty in identifying new private sites, and few have come forward from the community itself. This can be for a number of reasons, including financial barriers to land ownership such as the lack of availability of financial products for such purchases or lack of certainty in the planning process.

4.28 In order to meet the pitch requirement without relying solely on privately owned sites, the council is exploring the possibility of delivering an additional public site to meet the needs of those who are unable to purchase private land and need to rent a pitch – See Question 1. It is suggested that this could be delivered by the Council in the same way as Chilmington or through the private sector in close cooperation with the Council – see Question 2. The size of the site will depend on submissions but please provide views through Question 3.

4.29 A public site would need to be located in a sustainable location, with good access to services. At present, there are very limited site options available. The council are therefore requesting land submissions and suggestions for sites which can be assessed in greater detail. It is acknowledged that the management of the current public Chilmington site draws on significant council resources, and proposals for new public sites would need to demonstrate appropriate design and layout and how they can be delivered in a way that promotes peaceful and integrated co-existence between the occupants and the settled community.

### Options Question 9: New Public Site

#### Question 1 – Principle of new public site

**Option 1a** - provide an additional public site in the borough to meet some of identified pitch need

**Option 1b** - do not provide a new public site

#### Question 2 – Management of new public site

**Option 2a** - private sector management of the public site

**Option 2b** - council managed site

#### Question 3 – Size of new public site

**Option 3a** - less than 10 pitches

**Option 3b** - 10-15 pitches

**Option 3c** - more than 15 pitches

Please explain your answers

#### Call for sites: New Public Site

Do you have suggestions for suitable broad locations or specific sites, which could accommodate the requirements for a public site set out above?

## Safeguarding Existing Sites

4.30 It is important to ensure that those sites that benefit from permission for Gypsy and Traveller use currently and that will be allocated through this plan are retained for that purpose since any loss of sites to other uses would require that the council find alternative sites to continue to meet the overall need. The adopted Local Plan 2030 Policy HOU17 currently safeguards these sites and pitches, as set out below:

### **Policy HOU17 - Safeguarding Existing Traveller Sites**

**Existing permanent authorised Gypsy and Traveller sites and sites for travelling showpeople shall be retained for the accommodation of Gypsies and Travellers and for travelling showpeople as defined in the relevant national planning policy document.**

**Any new sites granted permanent planning permission shall also be safeguarded under the provisions of this policy. This policy may not apply if the site will be replaced by a site of similar proportions in an appropriate location which complies with the criteria listed in policy HOU16.**

4.31 This policy has been considered at examination and found sound so Option 1 is that this policy is retained in the Ashford Local Plan 2030 as drafted to ensure that the existing supply is retained which reduces risk of an increase in need.

4.32 However, if the policy is not supported, it could also be amended or deleted through adoption of this plan. The Council has no evidence that the policy is not effective but views are sought below on this in Options 2 and 3.

### **Options Question 10: Safeguarding Existing Sites (HOU17)**

**Option 1** – Retain adopted policy HOU17

**Option 2** – Amend policy HOU17

**Option 3** – Delete policy HOU17

Please explain answers

## Chapter 5 - Site and Pitch Design & Layout

### Definition of a ‘pitch’

5.1 There is no definition set out in legislation with regards to the amount of caravans make up and/or size of a ‘pitch’. The legislation directs that a pitch is the size or amount of caravans which meets a ‘**household**’ requirement.

5.2 Therefore, although a pitch is commonly referred to as 1 static + 1 tourer + amenity block + parking, this cannot be considered a formal position on all sites as, for example, larger households with teenage children may have 1 static and several tourers on 1 ‘household’ pitch. When those children are adults and move into their own static/tourer – they may then be occupying a separate ‘pitch’. It is therefore essential to use survey data, not just from a caravan count, but also detailing the relationships of a household in order to understand pitch supply and demand.

5.3 On larger sites some pitches may share some of the amenity provision such as outdoor spaces, parking areas and kitchen or bathroom blocks with others on the wider site, therefore the pitch itself may be smaller than the average pitch size.

5.4 Moving forward, officers propose that this issue is clearly addressed on each site allocation in the plan so that it is clear how many ‘pitches’ and how many ‘caravans’ are being proposed, as separate figures. This is set out in Chapter 6.

### Pitch design

5.5 It is the Council’s view that to meet the range of demographics and household sizes identified and meet the PPTS requirements of ‘*providing suitable accommodation*’ and reducing ‘*tensions between settled and traveller communities*’<sup>11</sup>, Traveller sites and pitches and be of a size, layout and design that provides the best residential amenity for the occupiers and for the neighbouring residents. The PPTS also requires that policies should ‘*relate the number of pitches... to the circumstances of the specific size and location...*’<sup>12</sup>

5.6 Site design should reflect modern traveller lifestyles and in addition to the caravans, provide enough space for parking, household storage, and amenity/bathroom blocks. The PPTS requires Local planning authorities to consider ‘*including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents*’<sup>13</sup> and therefore site design guidance should set out guidance for appropriate layouts for mixed use sites.

5.7 Previous national guidance on pitch design ‘*Designing Gypsy and Traveller Sites - Good Practice Guide 2008*’ was withdrawn in 2015 and has not been replaced. However, it did include some useful guidance and advice on site layout and design principles, some of which could be taken forward in local design policy as part of this plan.

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<sup>11</sup> Paragraph 4 PPTS

<sup>12</sup> Paragraph 10 PPTS

<sup>13</sup> Paragraph 18 PPTS

5.8 There are a range of design and layout issues that the council considers are important to address as part of a local site/pitch design policy, and we are therefore suggesting the following issues could be addressed:

- Site and pitch sizes could be set to ensure appropriate levels of private or shared amenity space for both single caravan and family pitches with more accommodation requirements. This minimum size approach was supported at Issues and Options consultation stage in general but there were some concerns about flexibility depending on size of household
- Guide location and siting of caravans, tourers and commercial vehicles within the site. This includes taking into account fire safety considerations and the location of caravans in proximity to each other and other outbuildings
- Appropriate vehicle access points and hard standing areas for parking and turning to meet the site and household size. Hardstanding should be of a permeable material for surface water flooding issues, as suggested by KCC in the Issues and Options
- Garden and amenity land for relaxation, play space and practical space such as clothes drying for either single pitches or larger sites with multiple pitches
- External lighting – ensuring a balance between residential amenity and protection of biodiversity, taking into consideration the Ashford Dark Skies Zones
- Ensuring adequate connections for drainage, electricity and water (with service meters)
- Appropriate levels of soft landscaping whilst making it clear the site should not be enclosed with hard landscaping, high walls or fences to an extent that suggests deliberate isolation from the community
- How mix of residential and employment can be accommodated on sites/ pitches
- Ensuring sufficient storage areas are provided for private residential use and mixed uses / employment spaces to ensure that sites are not visually harmful to surroundings
- Location of equestrian uses - for example the location of stables and grazing land in relation to the accommodation, and how this may affect residential amenity

### **Options Question 11: Site / Pitch Design Policy**

**Option 1** – Support proposals for design policy covering all issues above

**Option 2** – Support principle of design policy but have suggestions/comments on criteria above

**Option 3** – Do not support principle of design policy in plan

Please explain answers

## Site/Pitch Plans

5.9 Following on from the site design and layout issues detailed above, and the complexities of sites which have more than one pitch within them and may share amenity space or that are in locations which have particular constraints such as protected trees and neighbouring properties, it is often helpful to view the site and its features on a site plan.

5.10 During the Ashford Local Plan 2030 Examination the Inspector requested a site plan for one of the allocations to show the location of pitches within the wider site to be clear what impacts the pitches may have on residential amenity, access, trees and other landscape features. See an example below of a site/pitch plan, taken from the now withdrawn ‘Designing Gypsy and Traveller Sites - Good Practice Guide 2008’.



**FIGURE 1 – SITE/PITCH PLAN EXAMPLE**

5.11 A site plan also enables the council to ensure sites are set out as required by policy, and that details such as landscaping, boundaries and tree protections are clearly identified which enable enforcement in cases where sites do not meet the requirements set out.

5.12 It is suggested that sites selected for allocation in the plan will have a site plan/map produced and we would like feedback on whether this approach is supported.

### Options Question 12: Site / Pitch Plans

**Option 1** – Support proposals to provide plans for allocated sites/pitches in the plan

**Option 2** – Do not support principle of creating site/pitch plans.

Please explain answers

## Chapter 6 - Monitoring and Review

6.1 The Ministry for Housing Communities and Local Government (MHCLG) requires the council to carry out a twice-yearly count of the number of caravans sited within the borough on a defined date which is set by the Ministry. Whilst this data is useful in providing a snapshot of the number of caravans at national level, it does not function as an appropriate policy monitoring tool, as the council are required to plan for ‘pitches’ as opposed to individual caravans. This monitoring method fails to take into account if and how the caravans are occupied or unoccupied; how the caravans relate to pitches (and permissions); whether they are currently travelling and; whether caravans are stationed temporarily where families may be visiting each other or whether they are a permanent addition to the site.

6.2 The council is currently reliant upon the caravan count for all Gypsy and Traveller site monitoring but this has proved unsatisfactory for the reasons outlined above. We are also conscious that residents are often concerned about site management, and we appreciate that in order to reassure residents there is a need to improve site monitoring and management across those in private ownership.

6.3 To address the shortcomings of our current monitoring system, and to improve our understanding of supply provision and demand in the borough, it is proposed that a new pitch count based monitoring system be implemented as part of this Plan. The process would respond to the mobile nature of the community and would run separately from any caravan count. It could involve annual visits to sites, separate to the caravan counts to establish the number of caravans ordinarily residing on the property and the number of ‘households’ living within them and whether they are travelling or visiting. This will produce a more accurate picture of the total number of pitches, both authorised and unauthorised, that exist within the borough and identify specific household needs. This was highlighted as a particular issue at Issues and Options consultation stage.

### Options Question 13: Pitch Monitoring

**Option 1** - Support the proposals for future site, pitch and household monitoring in addition to the caravan counts

**Question A** - Do you have views on how visits and counts should be arranged with the travelling community?

**Option 2** – Do not support proposals for additional monitoring of sites

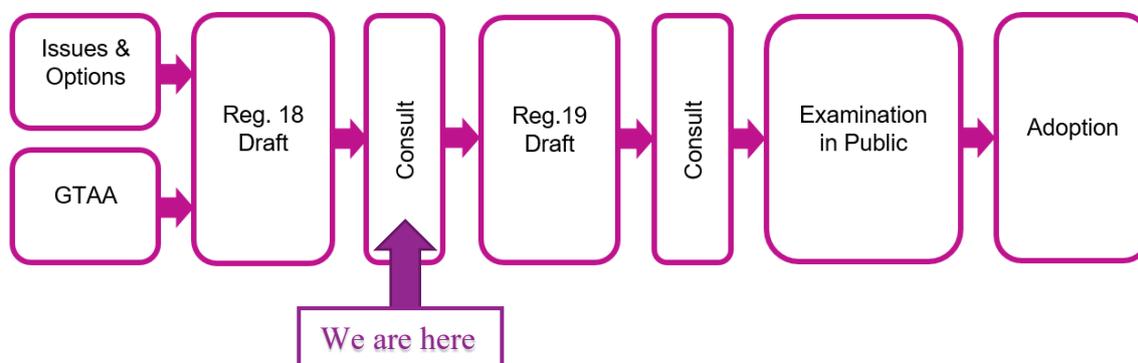
Please explain answers

## Chapter 7 - Stages of Plan and Public Engagement

### Stages of plan production

7.1 Production of a Local Plan is an evolving process, going through a number of stages, and based on factual evidence base and local consultation as set out below:

1. Formulating the Evidence base:
  - a. Gypsy and Traveller Accommodation Assessment (2018)
  - b. Issues and Options report - setting out the broad issues and options and seeking views through a public consultation exercise. The Issues and Options report was published in April 2018.
2. Consult on the Regulation 18 'Options Report' document (**This Stage**)
3. Produce and consult on the Regulation 19 Draft Document (Also known as submission version). This will include draft policies and site allocations.
4. Examination in public - this is a hearing conducted by an independent government appointed Planning Inspector to assess the submission version of the Plan and the comments received. The Council and objectors to the plan are invited to present evidence at the hearing.
5. Adoption - If the plan is found to be legally acceptable as a result of the examination in public, it is adopted by the Council and form part of the Development Plan.



### Engagement on the plan

#### Duty to co-operate

7.2 The Localism Act of 2011 and the NPPF requires that local authorities engage constructively and actively on an ongoing basis with other Local Planning Authorities and organisations. We recognise that close working and co-operation with neighbouring boroughs is essential to meet the needs of a mobile community. Collaborative working is central to the development of this plan. We have already undertaken joint working with neighbouring authorities on the evidence base in coordination with the carrying out of GTAA's with the same consultant and we will continue to liaise with them on this plan.

## Engagement with communities and key stakeholders

7.3 Engagement on this document will follow the criteria set out in the Statement of Community Involvement (SCI) which ensures that all sections of the community, including local voluntary and community groups and organisations, key stakeholders, Parish Councils and Community Forums, service providers, landowners, individuals and developers, are actively involved throughout the process of preparing Local Plans.

7.4 Parish Councils, Ward members and community groups have been, and will continue to be, involved in production of this plan. At each consultation stage the Council will utilise both conventional methods and social media to publicise the plan and to encourage involvement from the public.

7.5 In the case of this Local Plan, it will be particularly important to continue involve Gypsies and Travellers themselves and those groups which represent them (such as the Gypsy Council and the Traveller Movement). The traveller community have been involved in this plan process from its inception. At the Issues and Options consultation in April 2018 each existing site in the borough was sent a copy of the consultation documents and an invitation to participate. Following this, officers visited sites to discuss their potential household needs. This consultation document will also be sent to all known Gypsy and Traveller sites.

7.6 However, there may be a specific family or group we have missed, or an organisation which you think should also be involved specifically in this document production. We welcome any thoughts or suggestions on potential consultation techniques and/or specific consultees we should contact.

### Options Question 14: Public Engagement

**Question A** - Are there any specific individuals or groups which you recommend we consult with on this plan?

**Question B** - Do you recommend any particular methods of engagement?

## How to make comments and submit a site/pitch for consideration

7.7 The public and other stakeholders are now invited to submit comments on the content of this Options Report and view the supporting documents until **5pm on 21st February 2020**.

- A digital copy of this document, supporting documents, response forms and site submission forms are available at: [www.ashford.gov.uk/consult](http://www.ashford.gov.uk/consult)
- You can register and make comments using the online portal (link above) which saves time and enables you to record your responses.
- The documents are also available to view in hard copy at the Civic Centre, Ashford and Tenterden Gateways, and Wye and Charing libraries where comment and site submission forms can also be collected.
- Hard copy comment forms and site submission forms can be requested by calling 01233 330229 or emailing [planning.policy@ashford.gov.uk](mailto:planning.policy@ashford.gov.uk) and we will post them out to you.

**Forms can be sent back by post to: Planning Policy Team, Gypsy and Traveller 'Options Report', Ashford Borough Council Civic Centre, Tannery Lane, Ashford, TN23 1PL**

7.8 Where possible, information can be made available in other formats, including large print and other languages. To obtain one of these alternatives, please contact us on 01233 330229.

**Please make your comments by 5pm on 21st February 2020**

## What Happens Next?

7.8 Everyone that comments on this consultation will receive an acknowledgment.

7.9 The next stage in this document production process will be to assess the comments received and use that feedback, government guidance such as the NPPF and PPTS alongside the supporting Sustainability Appraisal work to produce topic policies which effectively deal with all the issues identified.

7.10 In addition we will assess sites/pitches for allocation, using the criteria set out in this consultation document, and identify specific sites and/or pitches which are considered suitable for allocation in the next consultation stage.

7.11 It is anticipated that this next version of the document (known as Regulation 19 draft submission) with specific draft policies and identified sites will be available for public consultation in mid-2020. All stakeholders and those that have made comments at this stage will be invited to participate.

## Appendix 1 – Definitions

**Development Plan / Local Plan** - A Development Plan is a series of documents that set out the local authority's policies and proposals for the development and use of land in their area. The Development Plan as a whole guides and shapes day-to-day decisions as to whether or not planning permission should be granted. The main development plan for Ashford is the **Local Plan 2030**.

**GTAA** – Gypsy and Traveller Accommodation Assessment 2018, undertaken by consultants on behalf of the Council. This document assesses the current site and pitch provision and sets out the accommodation needs for the travelling community in Ashford.

**Gypsy / Traveller** – All members of the Gypsy and Traveller community – not necessarily a particular race or ethnic group. National Planning Policy for Traveller Sites (PPTS), August 2015 sets out the definition of Gypsies and Travellers. For planning purposes, the Government defines Gypsies, Travellers and travelling showpeople as: *Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

**Pitch Need** – The 'Need' is the amount of pitches that have been identified to meet the requirements of the Traveller community in the borough for the Plan period. The GTAA separates the Pitch need between those residents who meet the planning definition of Gypsy and Traveller in Annex 1 of PPTS, and those who, whilst culturally define themselves as Gypsy or Traveller, do not meet the current planning definition. We refer to these different calculations as '**PPTS Need**' and '**Cultural Need**' in this document. Overall, PPTS Need is a lower amount of need than Cultural Need.

**Pitch** – A pitch can be singular or within a group of pitches on a larger site. A pitch contains the caravans and amenity spaces required for 1 'household'. This is quite often static caravan, a tourer caravan, an amenity block, parking and outside space, but can be smaller or larger depending on specific household size and need.

**PPTS** – Planning Policy for Traveller Sites 2015 – the national policy guidance for planning for the Gypsy and Traveller Community housing needs. The document guides the production of this Plan.

**Settled community** – Residents of the borough who usually live in standard bricks and mortar housing and do not identify as a Traveller.

**Site** – A site which is occupied by or allocated for Gypsies and/or Travellers – this can contain more than 1 pitch.

**Transit sites** - are for Gypsies and Travellers on the move through the area and are for short term occupation only.

**Travelling showpeople** - Culturally similar but distinct from Romani Gypsies, travelling showpeople run funfairs and circuses. They ordinarily over-winter at sites with sufficient space to store and repair machinery and equipment meaning that their site requirements differ from other traveller groups.