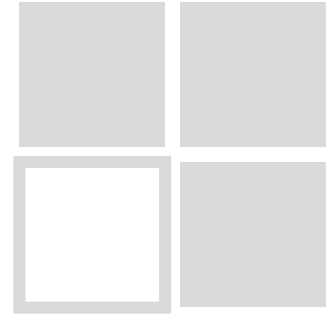


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Greater Norwich Local Plan Examination

Hearing related to planning for Gypsies and Travellers, 25 July

Further Written Statement

1.0 Introduction

- 1.1 This further written statement is submitted on behalf of our clients, Bill Morgan, and Holly and John Morgan. It draws on our experience working for Gypsies and Travellers across the country.
- 1.2 Bill Morgan owns the Oaks, Reepham Road, Foulsham, Site GNLP 5022, which is one of the proposed site allocations.
- 1.3 Holly and John Morgan own the land at Peddlars Turnpike, Guestwick, Site GNLP 5026, which was considered through the Additional Focussed Consultation in June. The Councils were not minded to include it as a proposed allocation. We submitted evidence making the case for allocating the site.
- 1.4 At the time of writing, we do not know whether the Councils have changed their position and have decided to allocate the site. That means, unless the Councils have changed their position, that Peddlars Turnpike is an 'omission

site', but if they have changed their position, that it may be an allocation. We would be happy to provide the Inspectors with the materials we submitted to the Additional Focussed Consultation.

Matter 6 Homes (Policy 5)

Issue 3 Gypsies and Travellers, Travelling Show People and Residential Caravans

2.0 Q1 Is the evidence base supporting the identified need for residential pitches and Travelling Showpeople robust, taking into account factors such as existing provision, household growth, hidden need (those in bricks and mortar housing), unauthorised sites and encampments and any engagement with the Gypsy and Traveller community?

- 2.1 There is an accommodation crisis among Gypsy people.¹ They are among the most disadvantaged communities in this country.² Lack of secure accommodation underlies other disadvantage. It makes it more difficult for people to access health care, including maternity and mental health care, education and employment. Homelessness and difficulties negotiating the complexities of the planning system are a significant cause of physical and mental stress.
- 2.2 In terms of the social objective of sustainability at NPPF para 8b) This means it is particularly important the Local Plan facilitates the provision of at least enough culturally appropriate accommodation. The current proposals do not do that.
- 2.3 In the light of the Lisa Smith Court of Appeal decision, we support use of the 'ethnic' assessment of need from the Greater Norwich Gypsy and Traveller

¹ See, for instance <https://www.gypsy-traveller.org/resource/last-on-the-list-an-overview-of-unmet-need-for-pitches-on-traveller-sites-in-england/>

² See the House of Commons Women & Equalities Report <https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/360/full-report.html>

Accommodation Assessment (2022 GTAA) as the basis for the assessment of needs.

- 2.4 There are a number of weaknesses in the 2022 GTAA, which means its assessment of needs for accommodation is not robust and that it underestimates needs, potentially by a significant amount.
- 2.5 Despite the requirement '*to prepare and maintain an up-to-date understanding of the likely permanent **and transit** accommodation*', Planning Policy for Traveller Sites (PPfTS) para 7 b), the GTAA does not provide any assessment of transit needs
- 2.6 Para 5.5 describes how information about Gypsies and Travellers was gathered. Its description of what happened is vague. The following can be deduced:
- Reflecting that it was carried out during covid, at least some information was obtained from third parties, not from Travellers themselves;
 - There would appear to have been no engagement with Traveller organisations;
 - The information gathered was factual, relating to such issues as pitch occupancy, travelling and accommodation needs;
 - It lacked the qualitative information which the approach required by PPfTS paras 7 a) and b) including '*early and effective community engagement with both settled and Traveller communities (including discussing Travellers' accommodation needs with Travellers themselves, their representative bodies and local support groups)*' can provide.
- 2.7 The failure to engage directly with Travellers means the GTAA was unable to draw on their lived experience of what is. Travellers tend to be private people and for reasons including discrimination many keep their identities hidden. Working closely with them one can obtain a finer grained understanding of issues for the community, including various aspects of hidden needs, not

limited to need from people in bricks and mortar, and for transit accommodation.

- 2.8 The assessment of future needs for permanent accommodation in Table 5.4 does not include a row for need from wholly nomadic Travellers, which will be larger than the zero in row 10, need from unauthorised encampments. Homelessness is endemic, particularly among young Travellers, with people surviving by camping where they can, living roadside and staying with friends and relations. Such people provide a high proportion of need, but can be difficult to assess.
- 2.9 The demand to move into the area, row 13, can be difficult to quantify, but in the circumstances of Greater Norwich the assumption of zero net in-migration is highly unlikely. The combination of Green Belt constraints, high land prices, intense demand for developable land and the substantial Traveller population means it is extremely difficult for Gypsies and Travellers to acquire land in a substantial arc around London and around Cambridge. Combined with the accommodation crisis for Gypsy people, this creates pressure to move deeper into East Anglia from the South East and Cambridge.
- 2.10 We currently have a planning application in at Ludham, North Norfolk from a couple who acquired land there because of the impossibility of acquiring land they could afford nearer to North Kent where their families are based. From other planning applications and appeals we have been involved in, including at Bury St Edmunds; Holbeach Drove, South Holland; March, Fenland; Somersham, Huntingdonshire; Little Thetford, East Cambridgeshire; and Worlington, West Suffolk we are aware of other cases of people moving into East Anglia. We can only recall involvement with one family moving south from Norfolk to a site in West Suffolk. These cases provide evidence of pressure for net in-migration into Greater Norwich, which needs to be factored into a sound GTAA.

2.11 If we are correct that need in Years 1-5 has been underestimated, particularly from highly mobile / homeless Travellers and from net in-migration, there will then be a consequent further underestimate of need from not making adequate allowance for newly forming families who will principally be the children of such households. Row 20 of Table 5.4 together with Tables 5.8 and 5.9 confirm such households represent a high proportion of needs, and that this element could result in a significant increase in the overall level of need.

2.12 We support the recognition of need from housed Travellers, Table 5.4, Row 15, which is ignored in many GTAA's. Our clients provide local evidence for this. One of the households planning to move onto site GNLP 5022 will be leaving Council housing. This is also true of our clients who own site GNLP 5026 at Peddlars Turnpike, Guestwick.

2.13 To conclude, the 2022 GTAA is not robust. Key weaknesses are the failure to engage with Travellers and their representative bodies, and the failures to quantify need for transit accommodation, from highly mobile / homeless Travellers, and from net in-migration, together with the consequent additional need from newly forming households.

3.0 If negotiated stopping arrangements are to be used for transit accommodation, how would this work and which land would be used? What procedures are in place to ensure any such approach is effective?

3.1 While advocated at paras 5.46 – 5.48 of the GTAA, we are not aware of progress in putting in place a negotiated stopping policy. There is no reference to it on the Norfolk and Suffolk Gypsy, Roma and Traveller Service website. Identifying suitable land where negotiated stopping is tolerated is a key feature of such arrangements, but identifying such land is difficult for local authorities and there is no indication the Councils have begun the process.

- 3.2 One of the ways people can survive homelessness and travel for work is through moving round and staying on the sites of friends and family. This means, in the absence of planned Transit provision, that space on residential sites or occupied by other Travellers provides a significant source of informal transit provision.
- 3.3 This then has consequences for the level of need. To take the example of site GNLP 5022. We expect to submit a planning application reflecting the proposed allocation of five additional pitches. If the application is approved, one of the pitches will be occupied by a daughter and her children moving from a council house, and one will be occupied people already resident on the site. The other three will be reserved for the future needs of grand-children and meanwhile will provide transit accommodation for friends and family. The corollary of this is that in order to meet needs and provide informal transit accommodation we need to over-provide relative to the numeric assessment of need.

Matter 17 Gypsy and Traveller allocations and supply

- 4.0 With reference to the Oaks, Reepham Road, Foulsham, Site GNLP 5022, is the proposed site allocation soundly based?
- 4.1 1. Is the allocation justified and is it supported by the evidence?
Yes, it is suitable, and constitutes an essential part of the supply of sites. Two of the proposed pitches are required to provide accommodation for members of the family already on the site, or with pressing needs for accommodation. The others will provide transit accommodation for friends and family in the short term and permanent accommodation for extended family members in the longer term.
- 4.2 2. Have any constraints to development been properly assessed and, where necessary, is it likely that appropriate mitigation can be achieved?

Yes, in preparation for submitting a planning application, we have commissioned an arboricultural survey, topographic survey and preliminary ecological assessment. Great Crested Newts have been found in a neighbouring pond and our ecologist is providing advice on how to ensure their protection. We are in correspondence with National Gas about the high pressure gas pipe and five additional pitches can be accommodated without impacting on the pipeline. For our comments on highways, see para 4.6.

4.3 3. Is the site available, and is the assumed number of pitches robust?

Yes and yes

4.4 4. Is the site likely to come forward in the timescales envisaged?

Yes, a planning application will be submitted before the autumn, and site development can proceed once nutrient neutrality issues are sorted and planning permission granted.

4.5 5. Are the detailed policy requirements that would apply to the allocation justified and effective?

At the risk of straying into improving the plan as opposed to soundness, we would suggest that the detailed, site specific policies for each of the proposed allocations provides disproportionately detailed policies for the Local Plan. The matters raised can be addressed through development management in the normal course of events, and all that is needed in the Local Plan is the allocation of the sites and some modification of the Gypsies and Travellers, Travelling Show People and Residential Caravans section of Policy 5, including a reference to the Gypsy and Traveller sites needing to be occupied by people who meet the planning definition taking account of the Lisa Smith Court of Appeal decision.

4.6 With reference to the proposed policy for the Oaks, the matters identified are ones we are aware of, which can be addressed through the planning application, apart from the reference to a requirement for a highway safety

assessment, which risks putting an unnecessary hurdle in the way of delivery. Reepham Road is lightly trafficked, and the sight lines at the site entrance in excess of standards in both directions. Against the context of para 111 NPPF, a highway safety assessment is not needed and the reference should be removed.

Issue 2, Supply of pitches over the plan period

5.0 Q1 Will there be at least a 5 year supply of deliverable pitches on adoption of the plan?

- 5.1 the Councils are at significant risk of not having a five years' supply of sites. This is for three reasons.
- 5.2 Firstly, for the reasons at paras 2.5 – 2.11 the level of need is likely to be significantly higher than the GTAA suggests.
- 5.3 Secondly, allocation will not necessarily mean the sites come within the definition deliverable in Footnote 4 to PPfTS, particularly they may not meet criteria of 'being available now'.
- 5.4 We have particular concerns about the Strayground Lane sites, which with 5 pitches to be delivered in 25/26 and 7 in 26/27 represents the largest single contributor to the 5 years' supply. Any slippage would risk the 5 years' supply and the following factors could all cause delay, affect viability or lead to the sites being unavailable:
- The need for the local authority to relocate the Wymondham recycling centre and market and dispose of the site;
 - The need for local highway improvements, and to address potential contamination;
 - The need for the private owner to establish delivery mechanisms – will the pitches be disposed of or rented?;

- A lack of clarity about how implementation will be funded.

Given these concerns, it would be helpful if the Councils could provide the hearing with an update on progress.

5.5 As suggested in our representation to the January Focussed Consultation a minimum size of 300m² per pitch (G&T Site Assessment para 7) will be inadequate. To accommodate the requirements of most families for a pitch to accommodate a mobile home, at least one touring caravan, parking for two vehicles, a small amenity block and some amenity space 300m² is far too small, and at least 500m² (25 x20m) is needed. On that basis, the Cawston site (0.09 ha) will only accommodate 2, not 4 pitches, and the Strayground Lane Site B (0.07) is too small for 2 pitches, and should only accommodate 1. It is likely to be challenging to accommodate an additional 8 pitches (net 4 over the existing permission) plus an internal access road on the Shorthorn Road site and it may be better to assume 6 (net 4).³ Together it may be prudent to assume the allocated sites can accommodate 5 fewer pitches.

6.0 Q2 Will there be a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and years 11 – 15 of the plan?

6.1 Table 2 of the Topic Paper suggests a need for 10 pitches for Years 6-10 and a further 10 for Years 11-15. We have provided evidence that the level of need is higher and consequently that more specific, developable sites or broad locations for growth are required.

6.2 The Councils are proposing that the provision for Years 6-10 will come from the proposed 10 pitch allocation at Ketteringham, together with any windfalls that may come forward.

6.3 For years 11-15 they will be wholly dependent on windfalls.

³ We are aware a planning application has been submitted for 8 pitches, but no detailed plans were available on the LPA website when we checked.

6.4 Ketteringham is a specific, developable site. However, the following provide reasons for being anxious about whether it will come forward and, if it did not come forward or was delayed, the proposals would be deficient by an even greater amount:

- The relocation of the existing depot is only a proposal;
- Generally, the record across the country is that local authorities find it extremely difficult to follow through the allocation of Traveller sites to implementation and delivery;
- Particularly if developed by a local authority, a 10 pitch site represents a substantial capital investment;
- While the Department has recently announced grants totalling nearly £10m, that was for improvements to existing sites. We are not aware of any funds for the development of new sites, certainly of this size;
- It is not clear whether it will be a social rented site, or whether it will be sold off either to a private site operator or to individual pitch owners. In either case there are significant cost, implementation, and viability issues to be overcome.

Given the importance of the site to meeting needs in Years 6 -11 it would be helpful if the Councils could provide an update on progress.

7.0 **Q3 Is there compelling evidence that windfall pitches will provide a reliable source of supply over the plan period?**

7.1 PPfTS does not require a role for windfall sites. Rather, LPAs are required to identify a 5 years' supply of deliverable sites and a supply of specific, developable sited or broad locations for growth for years 6 -10 and, where possible, years 11- 15.

7.2 Putting aside whether the assessment of need is an underestimate, where, as in Greater Norwich the allocations are barely adequate for needs, and the 5 years' supply is required to be updated annually (PPfTS para 10 a)), that

requirement will only be met if the Ketteringham allocation at comes forward as programmed together with a significant number of windfalls.

7.3 Para 4.5 of the Topic Paper claims that the assumed rate of 1.25 pitches a year from windfalls represents '*a cautious approach*'. But that is compared with the recent past. Few are likely to come forward in reality. This is partly a consequence of the work for the Local Plan. Of the proposed allocations, 24 pitches (those on sites GNLP 5019, 5020, 5022, 5024 and 5027) will be extensions to existing Traveller sites. There is a strong likelihood that at least some, and possibly all of them, would have come forward over time as windfall sites. Part 2 of the Topic Paper describes the work done to identify sites. The thoroughness of that work suggests that few, if any, other Gypsy owned sites are likely to come forward as windfalls. This confirms there can be little confidence, let alone compelling evidence, that windfalls will form a reliable source of supply. This then means the Plan's dependence on windfalls is not sound.

7.4 Together with the other issues highlighted in this submission, this means to be sound, that the plan needs to include further allocations.