



**Brentwood**  
Borough Council

# Brentwood Borough Local Development Framework

## **Gypsies and Travellers Development Plan Document** ISSUES AND OPTIONS CONSULTATION

July 2007



**BRENTWOOD BOROUGH LOCAL DEVELOPMENT  
FRAMEWORK**

**GYPSIES AND  
TRAVELLERS  
DEVELOPMENT PLAN  
DOCUMENT**

**ISSUES AND OPTIONS CONSULTATION**

**July 2007**

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**Note:** Throughout this document reference is made to various organisations and agencies, designations and documents in the development plan process by way of abbreviations e.g. DPD for Development Plan Document. Please note a full glossary of these key terms is set out at Appendix 1.

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## SUMMARY

### Background

As part of the new Local Development Framework, which will eventually replace the Brentwood Replacement Local Plan, the Council is required by the government to prepare a Development Plan Document dealing specifically with Gypsy and Traveller accommodation needs in the Borough.

The East of England Regional Assembly (the regional planning body) is, through an immediate mini-review of the emerging Regional Spatial Strategy, also undertaking a similar exercise across the East of England Region and this will determine the number of Gypsy and Traveller residential pitches that need to be provided within each local authority area.

The government is requiring the Council to undertake a process leading to the allocation of specific sites, together with other policies and proposals, to accommodate the number of pitches allocated to Brentwood in the Regional Spatial Strategy review, through this Development Plan Document.

These documents both respond to the publication of ODPM Circular 1/2006 "Planning for Gypsy and Traveller Caravan Sites", which emphasises the need to ensure that enough sites are provided for Gypsies and Travellers, and sets out a planning process for achieving this. Councils now have a duty to allocate sufficient land for gypsy and traveller accommodation needs.

Gypsies and Travellers are estimated to make up less than 1% of the population of England, and only a proportion live in caravans. There is, however, a lack of definitive information regarding the numbers and needs of Gypsies and Travellers. For instance there is no reliable information on the numbers of Gypsies and Travellers resident in the region, either on authorised or unauthorised sites.

Work has or is being undertaken to better inform the consideration of the issue at both a regional and local level, and includes:

- (i) The twice-yearly Gypsy and Traveller Caravan Count undertaken on behalf of the government.
- (ii) A survey of resident Gypsies and Travellers in Brentwood undertaken on behalf of the Council by Fordham Research in 2004.
- (iii) A Essex Gypsy and Traveller Accommodation Needs Assessment undertaken by the University of Salford on behalf of the Essex Planning Officers Association in 2005 (published in February 2006 as "Looking Back, Moving Forward: Assessing the Housing Needs of Gypsies and Travellers in Essex").
- (iv) "Preparing Regional Spatial Strategy Reviews of Gypsies and Travellers by Regional Planning Bodies", a research report prepared by the University of Birmingham, the University of Salford and Sheffield Hallam University and published by the Department for Communities and Local Government in March 2007.

This technical information will provide a basis for discussion and consultation on both the Regional Spatial Strategy review and this Development Plan Document.

## **The Gypsies and Travellers Development Plan Document Process**

The process of preparing the Gypsies and Travellers Development Plan Document is set by the government and involves a number of specific stages of consultation and public participation. This is the first stage of consultation - the "Issues and Options" - and seeks to encourage a wide involvement in the document preparation from the earliest possible time. Indeed in drafting this consultation document, between December 2006 and May 2007, there has been an on-going invitation to stakeholders and others to express views on what issues should be included for consultation, and these have assisted in drafting this document.

Following this initial consultation stage, the Council will prepare and consult further on a "Preferred Options" document, before finalising and submitting the "Submission Development Plan Document" to the Secretary of State for adoption. The submission document will be subject to an examination in public before an independent inspector who will write a report and make recommendations which will be binding on the Council in adopting the Development Plan Document.

This consultation document sets out the background and context for consideration of the issues and options, provides links to the other more detailed sources of information, and asks a number of specific questions in order to encourage comments.

**The issues and options identified, together with the associated questions, should not be interpreted as reflecting in any way the Council's view on the issues. Nor should the inclusion of a question be taken as prejudging an issue.**

**The intention at this stage is solely for the Council to obtain the views of others on all the relevant issues and the options available. The views received will inform the Council's further considerations on this whole issue.**

### **How to Make Comments**

The Council intends to use a variety of consultation methods to enable and facilitate involvement in the preparation of the Development Plan Document, and more information on this can be found on the Council's website.

You are encouraged to make comments on the Issues and Options set out in this document by:

- Filling in and returning the enclosed 'Comment Form', or other comments in writing, to the Chief Planning Officer, Planning Services, Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY; or
- Downloading a copy of the 'Comment Form' from the Council's website ([www.brentwood.gov.uk](http://www.brentwood.gov.uk)) and returning it by post or by email to [planning@brentwood.gov.uk](mailto:planning@brentwood.gov.uk); or
- Completing the online 'Comment Form' at [www.brentwood.gov.uk](http://www.brentwood.gov.uk); or
- Faxing a 'comment Form' or other comments to 01277 312635

**In making responses to the questions set out in the Comment Form you are strongly advised to read the relevant section in this document to fully understand the context in which the questions are set.**

Further guidance on making representations is set out in the guidance notes accompanying the 'Comment Form' and on the Council's website. If you have any queries regarding the consultation, please contact the Planning Policy Section on 01277 312609/312610.

**The period for comments will run for six weeks from Friday 27 July 2007. All comments, therefore, should be received by 5pm on Friday 7 September 2007, and cannot be treated as confidential.**

**Any comments received which include specific sites put forward to the Council as possible Gypsy and Traveller Sites will also be advertised and made available for a further six week period for public comments.**



## 1. INTRODUCTION

### The New Plan Making System

- 1.1 The Planning and Compulsory Purchase Act 2004 (the Act) introduced a fundamental reform of the planning system. Local Plans are to be replaced with Local Development Frameworks (LDFs), essentially a folder of separate but related Local Development Documents (LDDs) setting out policies and proposals for spatial planning in the Borough. LDDs will consist of both Development Plan Documents (DPDs) setting out statutory policies and proposals and Supplementary Planning Documents (SPDs), comprising non-statutory guidance, which supplement in more detail the policies in DPDs.
- 1.2 The new plan-making system also replaces the County Structure Plans with a new regional plan, prepared by Regional Assemblies for approval by government and which, together with government Planning Policy Statements (PPS), sets out the national and regional policy context for LDFs. The East of England Plan, covering the period 2001 to 2021, has been prepared by the East of England Regional Assembly (EERA) and is currently awaiting final approval by the Secretary of State.

### The Brentwood Local Development Framework

- 1.3 The first documents to be prepared by the Council for its LDF and their priority and programme over a three-year period was approved by the Secretary of State (SoS) in August 2006 as set out in detail in the First Brentwood Local Development Scheme (LDS). A subsequent revision of the First LDS has been discussed with the Government Office for the East of England (GO-East) and is awaiting formal approval. The approved LDS can be viewed on the planning pages of the Council's website (<http://www.brentwood.gov.uk>).
- 1.4 The Council is, therefore, proposing to prepare a number of LDDs as shown in Table 1, which will eventually replace the Brentwood Replacement Local Plan.
- 1.5 A key objective of the new development plan system is to strengthen community involvement in the document preparation process and ensure that involvement begins at an early stage in the process. The first document produced under this new regime, therefore was the Statement of Community Involvement (SCI), which sets out how and when community involvement will be sought and who the Council intends to engage with in the preparation and adoption of each LDD. The SCI was adopted by the Council in February 2007 and is available in both hard copy and to view on the planning pages of the Council's website ([http://www.brentwood.gov.uk/pdf/pdf\\_1201.pdf](http://www.brentwood.gov.uk/pdf/pdf_1201.pdf)).
- 1.6 Priority has also been given to producing the Core Strategy DPD and a Gypsies and Travellers DPD. The process for producing LDDs, including the various stages for community engagement through public consultation and participation is set out in detail in the Town and Country Planning (Local Development) (England) Regulations 2004 (The Regulations).
- 1.7 The 'Issues and Options' consultation, is the first stage of consultation on the Gypsy and Traveller DPD, and is being undertaken pursuant to Regulation 25 of

the Regulations. The Core Strategy DPD is also proposed to be published for public consultation on the 'Issues and Options' stage in September 2007 (which is dovetailing with a review of the Brentwood Community Strategy through the Brentwood Local Strategic Partnership).

<b>Table 1: The Brentwood Borough Local Development Framework - Document Priorities</b>			
<b>Document</b>	<b>Description</b>	<b>Priority</b>	<b>Progress</b>
Core Strategy & Generic Development Control Policies DPD	Sets out the spatial vision, objectives for strategic policies for development of the Borough to 2021, and generic development control policies	1	Issues and Options consultation September 2007
Gypsies and Travellers DPD	Assessment of the need for and identification of a specific site(s) and policies to provide for gypsy and traveller accommodation needs in the Borough	1	Issues and Options consultation July 2007
Statement of Community Involvement	Sets out the standards and approach to the involvement of stakeholders and the wider community in the production of the Local Development Documents	1	Adopted February 2007
Urban Place Supplement SPD	Supplementary guidance to the Essex Design Guide for Residential and Mixed Uses for high density development.	1	Adoption September 2007
Site Specific Allocations DPD	Detailed site specific proposals/policies and land allocations for specific uses and designations.	2	Commencement April 2008
Planning Obligations & Developer Contributions SPD	Guidance on developer contributions for infrastructure and other community benefits	2	Commencement December 2008
Advertisement & Shopfront Guidance SPD	Additional advice to applicants on shopfront and advertisement design and security measures	2	Commencement April 2009
Miscellaneous Residential Design Guidance SPD	Council guidance on detailed design issues in residential development	2	Commencement April 2009

## 2. THE GYPSIES AND TRAVELLERS DEVELOPMENT PLAN DOCUMENT

### The Preparation and Adoption Timetable

- 2.1 The Brentwood LDS sets out the programme for the preparation of each of the first LDDs to be produced, including the timetable for the Gypsies and Travellers DPD. As previously stated the programme, as summarised in Table 2, is currently awaiting formal approval from the Secretary of State as part of the revision of the approved First LDS.

<b>Table 2: The Gypsies &amp; Travellers DPD Programme to Adoption</b>			
<b>Process</b>	<b>Stage</b>	<b>Regulation Reference</b>	<b>Date</b>
Pre-production	Evidence Gathering		January to November 2006
Production	Informal Consultation on Issues	Reg. 25	December 2006 to April 2007
	Prepare and Consult on Issues and Options		May to August 2007
	Prepare Preferred Options	Reg. 26	September to December 2007
	Consult on Preferred Options & Sustainability Appraisal		January to February 2008
	Consider Representations and Prepare Submission DPD	Reg. 27	March to June 2008
	Submit DPD and Sustainability Appraisal to Secretary of State and Consult	Reg. 28	July to August 2008
Examination	Consider Representations on Submission DPD	Reg. 29	September to October 2008
	Pre-Examination Meeting		November 2008
	Prepare for Examination		December 2008 to January 2009
	Independent Examination in Public		February 2009
	Preparation of Examination Inspector's Binding Report		March 2009
Adoption	Adoption of DPD		April 2009
	Monitor and Review		May 2009 onwards

### The Issues and Options Consultation Stage

- 2.2 The Gypsies and Travellers DPD will assess the need for further accommodation to be provided for Gypsies and Travellers within Brentwood in terms of sites and number of pitches. It will also set out how that accommodation requirement is to be provided, either by allocating specific sites or having policies for assessing sites that may come forward against specific criteria.

- 2.3 At this first stage of public consultation, the Council is seeking input and views from the widest range of stakeholders, interest groups and residents on the issues that should be considered in assessing the level of need for sites and pitches and also the options for providing for that need. In order to facilitate responses, this document sets out the context for consideration of these issues and options, including national and regional policies and the available evidence base/ statistical background. Some of these contextual matters will constrain or direct the way in which the Council moves the document forward to the 'Preferred Options' and 'Submission' stages of the process, and this will be made clear so that those wishing to participate in the various stages of consultation are aware of the constraints that may be placed on the ability to influence certain aspects of the final document.
- 2.4 Set out in this document, and in the accompanying comments form, there are a number of specific questions which will help the Council in preparing the 'Preferred Options' and the eventual 'Submission Document', but this is not meant to deter other comments and views being expressed at this stage. All comments will be taken into account and considered by the Council.

### **3. WHY IS THE COUNCIL HAVING TO PREPARE A GYPSIES AND TRAVELLERS DPD?**

#### **National Policy on Gypsy and Traveller Accommodation**

- 3.1 The 1968 Caravan Sites Act was introduced primarily to provide a solution for the large number of Gypsy families living in poor and unacceptable conditions, such as in lay-bys and car parks. Between 1970 and 1994 the 1968 Act placed a duty on county councils to provide adequate accommodation for Gypsies residing in their area. The Local Government Planning and Land Act 1980 made available an amount of government subsidy for site provision.
- 3.2 However, in 1994, the Criminal Justice and Public Order Act removed the obligation on local authorities to provide and maintain public caravan sites, and Gypsies and Travellers were encouraged to buy their own land to seek planning permission for their own accommodation, although the accompanying Circular 18/1994, stated that local authorities were expected to retain and maintain existing sites, and could still use previous legislation to provide new sites. In practice the removal of the duty to provide sites resulted in a halt to new site provision and Gypsies and Travellers, seeking a more settled life style, bought land where they could rather than where it was most appropriate or complied with planning policies. Over the ensuing decade the numbers of Gypsies and Travellers residing on unauthorised developments increased; heightening tensions between the settled community and Gypsies and Travellers.
- 3.3 During the late 1990s the government published further guidance on unauthorised encampments, stressing the need for a strategic approach and advice on ‘toleration’ of encampments. In further formalising the government’s position on Gypsies and Travellers, the Housing Act 2004 was introduced, which amongst other matters, created a duty on local authorities to assess the accommodation needs of Gypsies and Travellers and develop strategies to meet these identified needs. The government has encouraged these strategies to be developed have been encouraged to be developed at a regional level and should feed into other functions such as planning, education, social care and housing/accommodation.
- 3.4 The planning regime for providing Gypsy and Traveller sites was also amended with the publication of ODPM Circular 1/2006 “Planning for Gypsy and Traveller Caravan Sites”. The Circular emphasises the need to ensure that enough sites are provided, and sets out a planning process for achieving this. Councils now have a duty to allocate sufficient land for gypsy and traveller accommodation needs.

#### **ODPM Circular 1/2006 “Planning for Gypsy and Traveller Caravan Sites”**

- 3.5 The planning process set out in Circular 1/2006 begins with local authorities assessing Gypsy and Traveller accommodation needs as part of a Gypsy and Traveller accommodation assessment (GTAA) process.
- 3.6 The data collected through the GTAA will inform the preparation of local authority DPDs through a process which begins with an assessment of the overall level of need as part of the housing needs in the Regional Spatial Strategy (RSS). The RSS should identify the number of pitches required (but not their location) for each local

planning authority in the light of the GTAAs and a strategic view of needs across the region.

- 3.7 The numbers of pitches set out in the RSS must then be translated into specific site allocations in one of the local planning authority's DPDs that form part of the LDF. The Circular advises that the Core Strategy should set out criteria for the location of gypsy and traveller sites which will be used to guide the allocation of sites in the relevant DPD. Local authorities must then allocate sufficient sites, in terms of the number of pitches required by the RSS, in site allocations DPDs. Whilst this is the model process set out in the Circular, it also states that "where there is clear and immediate need, for instance evidenced through the presence of significant numbers of unauthorised encampments and developments, local planning authorities should bring forward DPDs containing site allocations in advance of regional consideration of pitch numbers, and completion of GTAAs.

### **Inclusion of a Gypsies and Travellers DPD in the Brentwood Local Development Scheme**

- 3.8 The Council submitted its Draft LDS in February 2005, in accordance with the requirement in the Regulations to submit it to the Secretary of State for approval within six months of enactment of the Planning and Compulsory Purchase Act 2004 (The Act), i.e. by 28 March 2005. In response, the government regional office (GO-East) wrote to advise the Council that the Secretary of State was minded to **formally direct** the Council to amend its Draft LDS under the provisions of section 15(4) of the Act, to require preparation of a Gypsy and Traveller Site DPD with, "due to the urgency to address the clear and immediate need for additional provision in the area", work commencing as soon as possible and adoption of the DPD specified for January 2007. The Secretary of State finally issued a Direction in July 2005, requiring that the LDS should be amended to specify that (a) it includes a Gypsy and Traveller Site DPD and (b) work will commence on the DPD as soon as possible with submission of the DPD to the Secretary of State by no later than 31 December 2006.
- 3.9 Subsequent discussions with GO-East resulted in an agreement with the Secretary of State for a programme providing for submission of the DPD by December 2007, and adoption by September 2008, and this was included in the First LDS, approved in August 2006. However, resource difficulties and other circumstances following approval, resulted in delay in progressing work on both the Core Strategy DPD and the Gypsies and Travellers DPD, such that consultation on the 'Issues and Options' has slipped by some 8 months and a revised programme as set out in Table 2 is awaiting final agreement with the Secretary of State and approval as the Second LDS.

### **Definition of Gypsies and Travellers**

- 3.10 ODPM Circular 1/2006 defines "gypsies and travellers" 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 dependents' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such."*

- 3.11 This definition is not based on ethnicity. The term “Gypsies and Travellers” where used in this document should be taken to have the above meaning unless otherwise stated, and will be used to determine Gypsy and Traveller status for planning applications.
- 3.12 It should be noted that this definition is not the same as the proposed definition of “Gypsies and Travellers” for the purposes of sections 225 and 226 of the Housing Act 2005, which was consulted on by the ODPM in February 2006, and which read 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 dependents’ educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism and/or caravan dwelling.”*

### **The Relationship between Caravans and Pitches**

- 3.13 A pitch is an area of land where a Gypsy/Traveller household can reside. Typically this may contain a building, parking space and one or more caravans.
- 3.14 The Essex GTAA undertaken in 2005/2006, and referred to later in this document took an average of 2 caravans per pitch in calculating the accommodation needs, based on both the local authority policies of caravan to pitch ratios and to the mean number of caravans found during the research.
- 3.15 The later work undertaken for the RSS review estimated the average number of caravans per pitch as 1.7.
- 3.16 For comparison purposes, a survey undertaken by Fordham Research on behalf of the Council in 2004 of all resident gypsy and traveller sites in the Borough found an average caravan to pitch ration of 1.4.

## 4. THE CONTEXT

### Background

- 4.1 Gypsies and Travellers are a long established ethnic group in Britain. Their histories and traditions stretch back many hundreds of years. Romany Gypsies have been in England for over 600 years and Irish Travellers also have a long history of nomadic life in this country. Romany Gypsies and Irish Travellers are recognised as ethnic groups and are therefore covered by the provisions in the Race Relations Act 1976. New Age Travellers also form part of the travelling community.
- 4.2 It is difficult to establish accurately the number of Gypsies and Travellers in Britain as they are not currently identifiable as a separate ethnic group in the Census. Estimates of the Gypsy and Traveller population in Britain vary widely - from 82,000 (Kenrick & Clark 1999) to 300,000 including those living in bricks and mortar housing (Liegeois 1987). No reliable figures exist for the number of Gypsies and Travellers who live in conventional housing. There are, therefore, no reliable figures currently available for the numbers of Gypsies and Travellers resident at a national level, across the region or at county and district levels. This may improve over time as local authorities undertake further work to deliver the requirements of the 2004 Housing Act and through the 2011 census, which is planned to address this issue. This information, though, will clearly not be available to inform this DPD, and use has therefore been made of whatever sources of information are currently available, recognising their shortcomings.
- 4.3 The majority of Gypsies and Travellers in England live in caravans on local authority managed or private sites. Unauthorised sites are split between unauthorised encampments (where Gypsies and Travellers do not own the land and planning consent has not been given for use as a Gypsy and Traveller site) or unauthorised developments (where Gypsies and Travellers own the land but do not have planning permission). Sites may also be “tolerated” in that enforcement action is not being pursued.
- 4.4 The government collates information from a twice-yearly Gypsy and Traveller Caravan Count which is carried out by Local Authorities. The July 2006 Count showed that there are over 16,600 Gypsy and Traveller caravans in England. Of these 78.7% (13,073) are on authorised sites with planning permission (6564 on local authority sites and 6509 on private sites). 13.6% (2,252) were on unauthorised developments and 7.7% (1,287) were on unauthorised encampments.
- 4.5 Table 3 shows the numbers of caravans counted at January 2007 for England, the East of England Region, Essex and Essex Districts. These figures show that the issues faced in the East of England are particularly acute, with 4,163 caravans or 25.1% of the total number of caravans across England (the highest number of caravans of any English region). The figures also show that the East of England has relatively fewer caravans on social rented sites and on unauthorised encampments than average, but above average proportions on private sites and especially on unauthorised developments.
- 4.6 Within the East of England Region, the highest proportion of total caravans is Cambridgeshire (1313 or 31.5%) with Essex the next highest (977 or 23.5%). These two county areas are significantly higher than the other counties and unitary



authorities within the region. However, across England some 79% of caravans are on authorised sites, whereas for Cambridge the figure is 82% and for Essex 67%. Essex has a higher than average proportion of caravans on unauthorised developments (32% of Essex total).

- 4.7 Within Essex the highest numbers of caravans are within Basildon (40.6% of Essex total), Epping Forest (15.3%), and Chelmsford (14.5%). Brentwood has the eighth highest figure (3.5% of the Essex total). However, of the 34 caravans counted in Brentwood, 20 (59%) are on unauthorised sites, as opposed to the Essex average of 33.5%.

Table 3: Count of Gypsy Caravans 18 January 2007							
Area	Authorised Sites (with planning permission)		Unauthorised Sites (without planning permission)				Total All Caravans
	Socially Rented	Private	Sites on Gypsy owned land		Sites on Land not owned by Gypsies		
			"Tolerated"	"Not Tolerated"	"Tolerated"	"Not Tolerated"	
England	6564	6509	997	1255	491	795	16611
East of England	1419	1750	228	571	62	133	4163
Essex	239	411	43	269	2	13	977
Basildon	32	171	18	176	0	0	397
Braintree	29	7	1	5	0	1	43
<b>Brentwood</b>	<b>0</b>	<b>14</b>	<b>0</b>	<b>17</b>	<b>0</b>	<b>3</b>	<b>34</b>
Castle Point	0	0	0	3	0	0	3
Chelmsford	54	67	4	14	0	3	142
Colchester	0	11	5	7	0	0	23
Epping Forest	16	92	15	26	0	0	149
Harlow	51	0	0	0	0	0	51
Maldon	39	13	0	2	0	0	54
Rochford	0	3	0	16	0	6	25
Tendring	0	0	0	3	0	0	3
Uttlesford	18	33	0	0	2	0	53
Southend UA	0	0	0	0	0	0	0
Thurrock UA	111	9	52	0	0	0	172

Source: Department of Communities and Local Government

- 4.8 In looking at the numbers of caravans in Brentwood, Table 4 sets out information from the 6-monthly counts over the last four years (2002 to 2007). This shows that in 2003 there was a significant increase in caravans on unauthorised sites, due in the main to two new encroachments, one in Roman Road, Mountnessing and one

in Stock Lane, Ingatestone. Prior to this date the figures for the number of unauthorised caravans had been fairly consistent over the preceding decade. The number of caravans on authorised sites can vary at the time of the count dependent on whether touring caravans have been included.

<b>Table 4: Count of Gypsy Caravans in Brentwood 2002-2007</b>							
<b>Date</b>	<b>Authorised Sites (with planning permission)</b>		<b>Unauthorised Sites (without planning permission)</b>				<b>Total All Caravans</b>
	<b>Socially Rented</b>	<b>Private</b>	<b>Sites on Gypsy owned land</b>		<b>Sites on Land not owned by Gypsies</b>		
			<b>"Tolerated"</b>	<b>"Not Tolerated"</b>	<b>"Tolerated"</b>	<b>"Not Tolerated"</b>	
Jan-02	0	10	4				14
Jul-02	0	10	4				14
Jan-03	0	10	6				16
Jul-03	0	12	18				30
Jan-04	0	13	18				31
Jul-04	0	13	0	18	0	0	31
Jan-05	0	13	0	18	0	0	31
Jul-05	0	18	0	21	0	0	39
Jan-06	0	18	0	19	0	0	37
Jul-06	0	18	0	19	0	3	40
Jan-07	0	14	0	17	0	3	34
Source: Brentwood Borough Council							

4.9 At the time of the January 2007 count, the location of Gypsy caravan sites within the Borough were as set out in Table 5. The sites are all rural and apart from the Roman Road, Mountnessing and Stock Lane, Ingatestone sites generally provide for the accommodation needs of one family.

4.10 As can be seen from Table 4, none of the existing authorised sites in the Borough are publicly owned or managed. Planning permissions for the authorised sites vary between full and temporary permissions, many of which are personal to the occupier of the site, and half of which were granted on appeal.

### **Survey of Brentwood Resident Gypsies and Travellers 2004**

4.11 The Council engaged Fordham Research in 2004 to undertake a survey of all resident Gypsy and Traveller families in the Borough at that time, on both authorised and unauthorised sites. The survey sought both quantitative and qualitative data on Gypsy and Traveller accommodation needs and circumstances to inform both development plan work and provide information for the consideration of planning applications.

4.12 A summary analysis of the survey results is set out at Appendix 2.

<b>Table 5: Gypsy Caravan Sites in Brentwood at January 2007</b>	
<b>Address</b>	<b>Number of Caravans</b>
<b>Authorised Developments</b>	
Mill Lane/Bounce Hill Junction	3 Mobile Homes
Warren Lane, Doddinghurst	1 Mobile Home
Ponderosa, Place Farm Lane, Kelvedon Hatch	1 Mobile Home
The Willows, Place Farm, Kelvedon Hatch	1 Mobile Home
Lilliputs, Chelmsford Road, Blackmore	1 Mobile Home
Meadowview, Ingatestone Road, Blackmore	2 Mobile Homes
Poplars Farm, Ingatestone	1 Mobile Home
Wenlock Meadow, Wenlock Lane, Blackmore	1 Mobile Home
Hope Farm, Horseman Side/Goatswood Lane Corner, Navestock	2 Mobile Homes (plus 1 touring caravan)
<b>Unauthorised Developments</b>	
Field adj. Oaktree Farm, Chelmsford Road, Blackmore (Greenacres/Plot 3)	1 Mobile Home
Roman Road, Mountnessing	5 Mobile Homes
Stock Lane, Ingatestone	5 Mobile Homes
Pondend, Clapgate Estate, Chivers Road, Stondon Massey	1 Mobile Home
Treetops, Curtis Mill Lane, Navestock	3 Mobile Homes
Cottage Garden, Beads Hall Lane, Pilgrims Hatch	1 Mobile Home
Wealdview, Lincolns Lane, South Weald	1 Mobile Home
<b>Unauthorised Encampments</b>	
Little Warley Common	3 caravans

## **Existing Development Plan Policies**

### **(i) Brentwood Replacement Local Plan**

- 4.13 The existing local development plan for the Borough is the Brentwood Replacement Local Plan, which was adopted in August 2005, and covers the period 1996 to 2011. The plan does not identify any appropriate locations for permanent resident Gypsy and Traveller sites due to the inappropriateness of sites within the Green Belt and the severe limitations on land within the urban areas. The adopted plan, therefore, includes a criteria based policy against which further private site proposals within the urban area are considered and states that any application for a site within the Green Belt would need to be able to show the exceptional circumstances necessary to allow inappropriate development. Policy H13 "Permanent Sites for Gypsy Travellers" states:

“The Council may allow the provision of small Gypsy Travellers sites in appropriate locations within areas excluded from the Green Belt, where the following criteria are met:

- (i) The site is well screened
- (ii) Such accommodation is restricted to Gypsies who reside in or regularly resort to the Borough.

As a matter of clarification “regularly resort” refers to those Gypsies who regularly resort to the Borough for a minimum of 3 months in any one year.”

- 4.14 It should be noted that other materials considerations such as amenity and highway access are considered in other policies in the adopted plan.

#### **(ii) Regional Spatial Strategy**

- 4.15 The Regional Spatial Strategy as set out in the emerging East of England Plan provides the broad development strategy for the region up to 2021. The Plan is currently awaiting final approval by the Secretary of State, and is due to be published in autumn 2007. Policy H4 and its supporting text address the issue of provision for Gypsies and Travellers, and states:

“Local Authorities should make provision for sites/pitches to meet the identified needs of Gypsies and Travellers living within or resorting to their area. EERA will work with local authorities and other stakeholders to bring forward an early review to this RSS setting out the strategic framework for such provision, and identifying the requirement in terms of pitch numbers at a district level. Until that review is in place provision in LDDs and the decisions on planning applications should be based on the latest available information on need within the region and local area in the context of the urgent need for improved provision across the region.”

- 4.16 Further to the policy in the emerging East of England Plan and reflecting the guidance in Circular 1/2006, EERA has responded by undertaking a single issue review of the RSS on provision for Gypsies and Travellers. An Issues and Options consultation document was published on 8 May 2007, with a 12 week public consultation ending on 31 July 2007. The consultation document and Sustainability Appraisal report is available for inspection at the Brentwood Town Hall, Planning Reception and can be viewed on the EERA website at [www.eera.gov.uk](http://www.eera.gov.uk).
- 4.17 This document and its associated technical work are referred to further later in this consultation document.

#### **Informal Issues Consultation**

- 4.18 As part of the preparatory work to producing this Issues and Options consultation document on both this DPD and the Core Strategy DPD, in December 2006 the Council invited views on the issues that should be incorporated in to the respective consultation documents for discussion. The Council wrote to all of its consultees set out in Appendix 3 of the Statement of Community Involvement considered to be appropriate and notified in writing those on the Local Development Framework

mailing list. The SCI can be viewed on the Council website at <http://www.brentwood.gov.uk/pdf/pdf.1201.pdf>.

- 4.19 In addition the opportunity to be involved at that early stage of document preparation was advertised on the Council website and in the Council's quarterly 'Vision' magazine, delivered to all households in the Borough.
- 4.20 The period during which comments could be made was extended to 1 May 2007, and those comments received have been taken into account in drafting this consultation document.

## **5. THE ISSUES AND OPTIONS FOR CONSIDERATION**

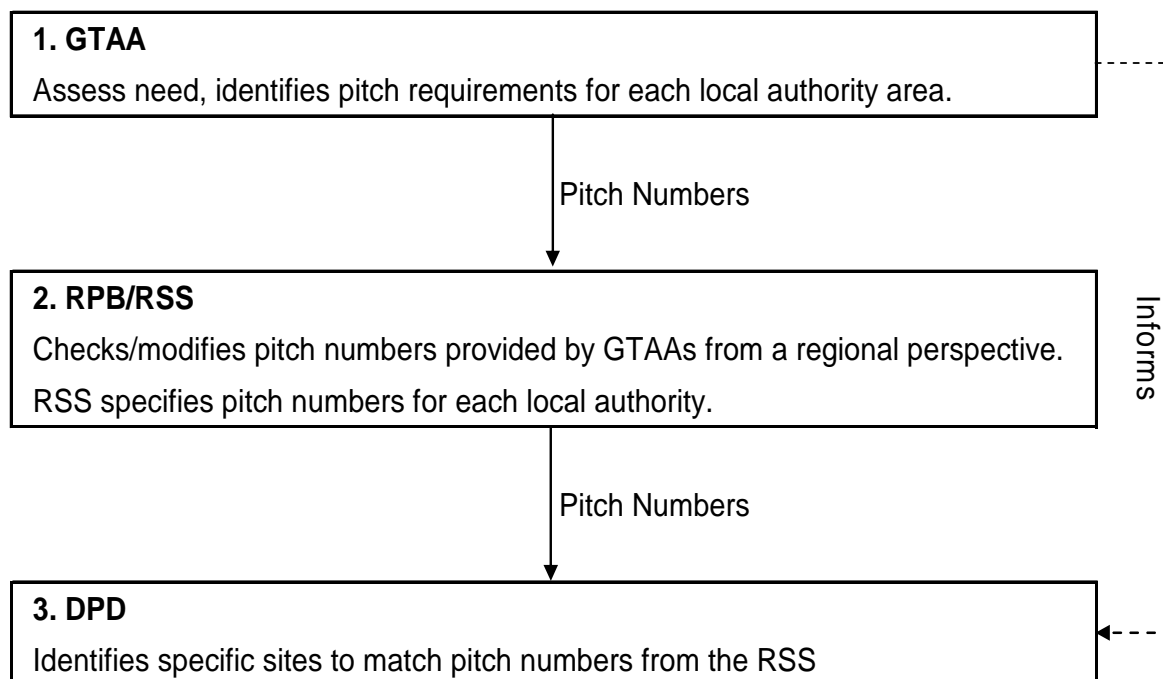
### **Assessing the Appropriate Level of Residential Pitch Provision for the Borough**

- 5.1 Assessing the appropriate level of pitch provision that Brentwood should identify sites for is not without its difficulties and there will undoubtedly be contrary opinions as to how the assessment should be made and what factors should be taken into account in reaching a figure for the appropriate scale of provision. As already referred to there are no reliable figures for the numbers of resident Gypsies and Travellers at a national, regional, county or indeed district level. Whilst this information may improve over time, this consultation document can only refer to data currently available.
- 5.2 As referred to in Section 3, the current RSS review on the issue of Gypsy and Traveller accommodation in the East of England will eventually provide a district level pitch requirement. However, the programme for completion of the RSS review is such that the final plan will not be approved until after the proposed date for adoption of this DPD. The Council will, therefore, need to take account of the progress of the RSS review and best information available in informing the figure that is submitted in this DPD to the Secretary of State for adoption.
- 5.3 The Circular advises that in the absence of a regional consideration of pitch numbers, local authorities should take account of other sources of information, including the twice-yearly caravan counts, the incidents of unauthorised encampments, the status of authorised sites and their level of occupancy, plot turnover etc.
- 5.4 In January 2007, the latest available published count, there were 8 unauthorised Gypsy and Traveller sites in the Borough, with 17 mobile homes and 3 caravans. In addition 2 of the 9 authorised sites only had the benefit of temporary planning permission. Views on whether existing unauthorised and temporary authorised sites should be considered as identifying a level of need that should be accommodate within the Borough would be welcomed. In assessing the appropriate level of need the twice-yearly count does not include those resident gypsies and travellers living in "bricks and mortar", within existing urban areas as part of the settled community. Information on numbers of families and their future needs/aspirations is not currently available.
- 5.5 These figures also do not take into account newly arising need from the existing resident Gypsy and Traveller population as their family circumstances and, for instance, their children require separate accommodation as they get older and form their own families. The Fordham survey undertaken in 2004 interviewed all of the 36 families then resident in the Borough on both authorised and unauthorised sites. Of these, 12 families (33.3%) said that there would be a need for a family member to move to their own accommodation within 5 years.
- 5.6 Clearly the reliability and comprehensiveness of this available information can and has been questioned, but it provides some basis for assessing the extent of the issue in Brentwood.

- 5.7 The planning process for identifying district level pitch numbers in Circular 1/2006, as set out in Figure 1 below, begins with an assessment of need and pitch numbers through GTAA's.

## FIGURE 1: PLANNING PROCESS SET OUT IN CIRCULAR 1/2006

### Overview



- 5.8 In 2005, the Essex Planning Officers Association (EPOA) commissioned the Salford Housing & Urban Studies Unit and the University of Salford to undertake a GTAA for Essex, in order to provide both quantitative and qualitative information and analysis that would inform the planning process in regard to the need to allocate sites for Gypsies and Travellers in forthcoming DPDs across the county. The final report "Looking Back, Moving Forward" was published in February 2006

- 5.9 The study reported that there were at that time 442 gypsy and traveller caravans on unauthorised sites across Essex and that provision for this group needed to be addressed immediately (calculated as the mean of the 5 bi-annual counts July 2003 to July 2005). In addition the study calculated the projected need arising over the period 2006 to 2016. This projection was based on the bi-annual Gypsy Caravan Count and assumed:

- (i) an average caravan occupancy level of 2 persons
- (ii) an average household size of 4 persons
- (iii) an estimated annual household growth rate as applied to the settled community by the ODPM (2004) Interim 2002-based Projection of Households in England i.e. 4.95% 2006-2011 and 5.16% 20011-2016
- (iv) an average of 2 caravans per pitch

- 5.10 As a result the study concluded that there was a minimum total projected increase of 59 Gypsy and Traveller pitches over the period 2006 to 2016, giving a total need (including the existing level of unauthorised caravans) for some 280 pitches across the county, as set out in Table 6. The study emphasised that the figure was likely to be an under-estimate due to the use of the bi-annual count data and the likely higher household growth rates for Gypsies and Travellers than the settled community.
- 5.11 The study's terms of reference did not include recommendations as to a district level provision.

<b>Table 6: Pitch Provision Needs In Essex 2006-2016</b>		
	<b>Caravans</b>	<b>Pitches *</b>
Unauthorised Sites at 2006	442	221
Projected Increase 2006-2011	56	28
Projected Increase 2011-2016	62	31
<b>Total</b>	<b>560</b>	<b>280</b>
* Estimated average of 2 caravans per pitch		

- 5.12 As part of the technical work for the RSS single issue review, EERA, working closely with the Department of Communities and Local Government (DCLG), commissioned an academic research report entitled "Preparing Regional Spatial Strategy Reviews on Gypsies and Travellers by Regional Planning Bodies", which was published in March 2007. This report can be viewed and downloaded from the DCLG web site: <http://www.communities.gov.uk/index.asp?id=1508208>.
- 5.13 This report was completed in two stages. Stage 1 sought to produce a methodology to benchmark the robustness and consistency of GTAAs; develop a transparent and reliable method for translating GTAA results into regional pitch requirements and support the RSS allocation of pitch requirements between local planning authorities. The second stage sought to apply the methodology to the East of England RSS review, and drew upon the completed GTAAs (including the Essex GTAA) across the region.
- 5.14 The research report concluded that there is a requirement for 1,220 net additional pitches across the region over the five years from 2006 to 2011. This requirement has been translated into two options to inform debate, illustrating how the 1,220 additional pitches could be distributed between local planning authorities. The Issues and Options consultation document for the RSS review makes clear that that the options should not be seen as establishing limits within which the eventual chosen level will fall within. Option 1 is a distribution based solely on the consultant's advice about where need arises. Option 2 amends the distribution to increase the minimum level of pitch provision within each local planning authority to 15 pitches (base on best practice advice on size of sites).
- 5.15 Under both options, Brentwood would be required to provide for a net addition of 15 pitches.



**Table 7: Regional Spatial Strategy - Illustrative Options for Distribution of Net Additional Residential Pitches**

<b>Council Area</b>	<b>Option 1</b>	<b>Option 2</b>
Bedford	12	15
Mid Bedfordshire	22	22
South Bedfordshire	39	39
Luton	13	15
Cambridge	15	15
East Cambridgeshire	35	35
Fenland	180	108
Huntingdonshire	20	20
South Cambridgeshire	120	72
Peterborough	13	15
Broxbourne	13	15
Dacorum	13	15
East Hertfordshire	5	15
Hertsmere	17	17
North Hertfordshire	3	15
St Albans	34	34
Stevenage	7	15
Three Rivers	2	15
Watford	4	15
Welwyn Hatfield	17	17
Basildon	157	95
Braintree	15	15
<b>Brentwood</b>	<b>15</b>	<b>15</b>
Castle Point	2	15
Chelmsford	87	52
Colchester	6	15
Epping Forest	52	52
Harlow	12	15
Maldon	13	15
Rochford	9	15
Tendring	2	15
Uttlesford	12	15
Southend	0	15
Thurrock	56	56
Essex	438	405
Breckland	13	15
Broadland	1	15
Great Yarmouth	1	15
King's Lynn & West Norfolk	53	53
North Norfolk	0	15
Norwich	5	15
South Norfolk	21	21
Babergh	0	15
Forest Heath	18	18
Ipswich	20	20
Mid Suffolk	39	39
St Edmundsbury	15	15
Suffolk Coastal	0	15
Waveney	8	15
East of England	1216	1220

- 5.16 There are clear differences between the level of pitch provision in the RSS review options and the level in the Essex GTAA (405/438 pitches in the RSS for the period 2006-2011 and 280 pitches in the Essex GTAA for 2006-2016). This in part derives from the differences in the methodology for calculating the level of newly arising need from the existing resident Gypsy and Traveller populations and the underlying assumptions (see Appendix 3 for the respective methodologies and calculations). The EPOA has commissioned further work to assess the robustness of the two methodologies and this is a matter that will need to be debated and determined on through the RSS review examination. Neither of the alternative estimates of pitch requirements cover the full current East of England Plan period up to 2021.
- 5.17 In the light of the above, the Council invites views upon the appropriate level of pitch provision for Brentwood, and specifically on the following questions:

**Question 1**

Should the Development Plan Document seek to provide for additional residential pitches for the period up to 2011, 2016 or 2021?

**Question 2**

What do you think is an appropriate and reasonable estimate of the level of need for additional residential pitch provision in the Borough? Please explain as fully and as clearly as possible how that level is derived.

**Transit Pitch Provision**

- 5.18 The Essex GTAA did not make any assessment of the need for transit accommodation needs i.e. the need for sites to provide temporary stopping places for Gypsies and Travellers passing through the Borough as they travel for work or pleasure. The RSS review does consider this issue and the consultant's report suggests that there might be a need for about 300 additional pitches in the region to fully accommodate transit needs, and that this provision would be in addition to the residential pitch provision.
- 5.19 However, the RSS review consultation does not include any suggested distribution of transit pitches for individual local planning authorities. One of the consultation questions in the RSS review Issues and Options document is whether it is helpful if the Regional Spatial Strategy revision seeks to establish policy on the level of need for transit pitches and, if so, would it be more helpful to distinguish this provision from the need for residential pitch provision in policy.
- 5.20 At this time the Council believes that it should be for the RSS to determine how and at what level individual local planning authorities make provision for transit site pitches, and therefore at this time it is not the intention to include transit site provision in this DPD unless the RSS review provides further guidance. However, in order to facilitate debate, the Council's own information on unauthorised transitory encampments in the Borough over the period 1999-2006 is set out in Table 8.

<b>Table 8: Unauthorised Transitory Encampments in Brentwood Since 1999</b>						
<b>Year</b>	<b>Number of Caravans</b>	<b>Duration of Stay (days)</b>	<b>Year</b>	<b>Number of Caravans</b>	<b>Duration of Stay (days)</b>	
<b>1999</b>	4	30	<b>2003</b>	7	3	
	10	0		4	18	
	9	15		8	2	
	80	29		15	12	
	4	24		4	0	
	5	0		4	0	
	5	0		2	5	
	13	7		4	16	
	30	3		4	0	
	26	1		<b>2004</b>	4	2
	12	3			7	1
	20	1			3	7
	1	1			8	0
	1	3			8	16
1	99	6	0			
<b>2000</b>	7	4	6		13	
	6	4	7		2	
	40	19	7		5	
	30	3	7		3	
	50	3	<b>2005</b>		4	0
	5	0			30	18
	5	2			14	19
	4	10			6	6
	6	7		6	7	
	5	8		<b>2006</b>	2	3
<b>2001</b>	2	2			2	0
	2	5			2	1
	2	19			1	1
	10	14			10	4
	7	7	5		7	
	6	6	4		4	
	1	12	5		3	
	1	5	<b>2002</b>	3	N/K	
2	2	2		2		
2	9	2		9		
10	6	10		6		
6	10	8		9		
8	9	2		11		
2	11	2		1		
2	1					

- 5.21 Notwithstanding the Council's current position in terms of transit pitch provision, your views are welcome on how this issue should be dealt with.

**Question 3**

Do you agree that consideration of transit pitch provision should await further guidance from the Regional Spatial Strategy review? If not, on what basis should an appropriate level of provision within the Borough be assessed?

**Travelling Showpeople**

- 5.22 Travelling Showpeople are not included in the official definition of Gypsies and Travellers. Whilst there are similar issues, there are also distinct differences in the lifestyle and experience of showpeople compared to Gypsies and Travellers. Traditionally the sites for showpeople are accommodated on what are known as 'winter quarters' as the traditional nature of their employment (fairs, circuses) often require long periods of travelling. However, due to changing employment circumstances, there are, as for Gypsies and Travellers, needs for permanent accommodation for some family members for security, social, health, economic and educational reasons.
- 5.23 Pitches for Showpeople are generally substantially larger than for Gypsies and Travellers, due to the need to also accommodate large machinery and transportation for their employment as well as their accommodation units.
- 5.24 The DCLG has recently published a draft Circular on revised planning guidance in relation to travelling Showpeople. This provides a definition of Travelling Showpeople and states that "the RSS revision should identify the number of pitches required (but not their location) for each planning authority in the light of GTAA's and a strategic view of needs across the region". The RSS review Issues and Options consultation document did not provide any such figures for discussion, but asked the question as to whether it was appropriate for the review to seek to identify pitch numbers separate from the numbers to provide for Gypsies and Travellers, and if so, what evidence is available to inform this and what issues should be taken into consideration.
- 5.25 In the light of this and the current lack of sites in the Borough, it is not intended to make provision for Travelling Showpeople in this DPD unless and until the RSS review determines otherwise.

**Question 4**

Should provision be made for Travelling Showpeople in advance of the consideration of this issue through the Regional Spatial Strategy review, and if so, on what basis?

**Green Belt and Other Considerations**

- 5.26 Circular 1/2006 restates the general presumption against inappropriate development within Green Belts and that Gypsy and Traveller sites in the Green

Belt are normally inappropriate development, as defined in Planning Policy Guidance (PPG) 2: 'Green Belts'. National planning policy on Green Belts applies equally to applications for planning permission from gypsies and travellers as to the settled population. The Circular goes on to advise that alternatives should be explored before Green Belt locations are considered.

- 5.27 PPG2 makes clear that once the general extent of Green Belt has been approved, and once detailed Green Belt boundaries have been established in adopted development plans (such as the Brentwood Local Plan), they should only be altered exceptionally. However, alterations to the Green Belt boundary can be used in exceptional circumstances where a local authority's area contains a high proportion of Green Belt land and no other suitable sites outside the Green Belt exist. The whole of Brentwood's rural area is within the Green Belt, and therefore such an exceptional limited alteration to the Green Belt boundary could be considered to meet the identified need for a Gypsy and Traveller site or sites.
- 5.28 Should, however, Brentwood's Green Belt location be a factor in limiting the level of provision in the Borough? Are there are other issues that should also be taken into account in determining the level of pitch provision for Brentwood? Whilst these are factors that need to be considered through the RSS review process, and therefore views at this time should have been directed to EERA by 31 July 2007 in response to the RSS 'Issues and Options' consultation (on-line at [www.eera.gov.uk](http://www.eera.gov.uk) or email to [planning@eera.gov.uk](mailto:planning@eera.gov.uk) or by post to Planning and Housing, East of England Regional Assembly, Flempton House, Bury St.Edmunds, Suffolk IP28 6EG), the Council would be interested in views in order to inform its own involvement in the RSS review process.

#### **Question 5**

Should Brentwood's Green Belt location be a factor in limiting the level of Gypsy and Traveller pitch provision? Are there other factors that should be taken into account in assessing the appropriate level of provision and, if so, what are they?

#### **Where to Provide for the Level of Residential Pitch Provision**

- 5.29 Whatever the eventual level of pitch provision determined through the RSS review process, there are a number of options for the way in which provision could be made. Dependent on the level of requirement it may be necessary to consider providing pitches through a mix of the following options.
- 5.30 In deciding where to provide for Gypsy and Traveller sites, the Circular advises that local planning authorities should first consider locations in or near to existing settlements with access to local services, e.g. shops, doctors and schools. All sites considered as options for a Site Allocations DPD must have their social, environmental and economic impacts assessed. This will be done as part of the Sustainability Appraisal process undertaken in parallel with the production of the DPD throughout the programme to adoption, both in regard to the suitability of sites for residential use and the impacts of their use on the surrounding area.
- 5.31 To date the Council has not been able to identify any suitable sites for Gypsy and Traveller accommodation within existing urban areas. In addition to the lack of sites,

urban locations are also more likely to give rise to 'affordability' issues for private Gypsy and Traveller sites. However, are there potential sites that can be identified for further consideration which the Council has overlooked? Are there opportunities for existing vacant, untidy or derelict urban sites being positively enhanced through the establishment of a well-planned, landscaped Gypsy and Traveller site, and which would reduce pressure for the need to release Green Belt land?

#### **Question 6**

Should possibilities for Gypsy and Traveller sites being located within urban areas be considered before any rural sites? Are you able to identify sites within any of the Borough's existing settlements for further consideration?

- 5.32 If sites can not be identified within existing urban areas, there are a number of alternative ways that provision could be made in rural areas.
- 5.33 At present all the existing authorised and unauthorised Gypsy and Traveller sites in the Borough are within the Green Belt (as set out in Table 5). In the 2004 Fordham Research survey of resident gypsies within the Borough, when asked where they would like to live, all responded that they wished to live on their current site. However, in considering whether the existing unauthorised sites should be considered as permanent Gypsy and Traveller sites the Council will need to take into account their impact on the openness and purposes of the Green Belt and their suitability in terms of the environmental and sustainability issues. This assessment may conclude that all or any of them should not be considered as permanent residential sites.
- 5.34 New sites could be identified by removing land from the Green Belt and allocating it as a Gypsy and Traveller site only. Views are sought as to where any such sites should be located. Sites on the outskirts of existing settlements or in rural settings should be suitable in sustainability terms (see criteria referred to in paragraph 5.27 and should not be located within nationally recognised designations, such as Sites of Special Scientific Interest (SSSI), Registered Parks and Gardens, Ancient Monuments or Conservation Areas.
- 5.35 The DPD could also include a 'rural exceptions' site policy, in the same way as for other forms of affordable housing. Any such site would continue to be located within the Green Belt but would be identified as acceptable for use as a Gypsy and Traveller site, but not for any other residential use. Circular advice states that rural exception sites should not allow for mixed use Gypsy and Traveller sites i.e. mixed residential and business uses (to allow for the Gypsies and Travellers to run their businesses from the site on which their caravans are stationed).

#### **Question 7**

If the level of pitch provision requires sites outside existing settlement boundaries, how and where should these be located? Should they be based on the existing unauthorised sites or should they be new sites, either removed from the Green Belt or identified as 'exception sites' within the Green Belt?

- 5.36 Whilst it is the government's intention that site specific DPDs provide sufficient identified sites to accommodate the level of pitches identified through the RSS review, there may be a shortfall due to the difficulties of site identification and/or delivery and implementation. Indeed as the programme for preparation of this DPD is advancing to adoption before finalisation of the RSS review, there is also a potential for an initial shortfall in provision. The site allocations or 'exceptions site' policy could, therefore, be accompanied by an additional criteria based policy to meet this shortfall/transitional period and possibly unexpected need and future projected growth due to changing household circumstances. Alternatively should the provision of suitable and deliverable sites to meet the RSS review pitch requirements be the limit for provision within a Green Belt authority such as Brentwood?

**Question 8**

Should the Council adopt a criteria-based policy (in addition to the allocation of specific sites), either to meet any current shortfall in identifying sufficient suitable sites or as a basis for assessing unexpected need and/or future projected growth in Gypsy and Traveller households?

- 5.37 Finally, it has been suggested that it may be possible to negotiate the inclusion of some element of the overall housing provision on larger residential developments to be in the form of Gypsy and Traveller pitches. This would enable Gypsy and Traveller site provision to be better integrated with the adjacent settled community rather than possibly imposing sites on an existing area. However, such proposals may give rise to resistance from developers and affect the ability to secure other forms of affordable housing and or other community benefits. There may also be limited opportunities within Brentwood due to the lack of sites of a size to make this feasible.

**Question 9**

Should the Council seek to provide Gypsy and Traveller sites as part of proposed larger residential developments? If so, how should this be achieved and is there a site threshold that should be adopted?

**Delivery and Implementation**

- 5.38 Whilst the DPD will seek to identify and allocate specific sites for Gypsy and Travellers, the issue of permanent residential accommodation for them will only be resolved if the sites are attractive to Gypsies and Travellers themselves and that there are appropriate measures to deliver and fund the implementation of the sites.
- 5.39 As set out in the RSS review consultation, there would appear to be three possible means of site provision:
- (i) Managed sites by local councils or Registered Local Landlords (either for rent/lease or sale of pitches)
  - (ii) Private sites owned by Gypsies and Travellers themselves or by private landlords (for rent)

- (iii) Part of larger residential developments (secured through legal agreements with the developer attached to planning permission)
- 5.40 Provision of sites by local councils has been a common means of provision in the East of England, with 34% of Gypsy and Traveller Caravans in the region on social rented sites. The figure in Essex is slightly lower at 30%. In Brentwood there are no existing council owned sites and in the Fordham Research survey, all of the resident Gypsies and Travellers would prefer to live on their own private site.
- 5.41 The Essex GTAA noted that among those Gypsies and Travellers staying on unauthorised sites there was a general dislike for local authority sites due to the inability to influence the type of residents (living with family or 'known' people was important); concerns about poor site location; the potential for eviction; and a desire to live within their own particular ethnic group.
- 5.42 Although reliable cost data is limited, the RSS review consultation document suggests that the cost of extending an existing site by an additional pitch is about £40,000. As there are no existing sites in Brentwood, the provision of a local authority site would be significantly greater due to the cost of providing the necessary services. In 2006-2008, the government made available £18 million from regional housing funds for new site provision and refurbishment of existing sites. Whilst EERA understands that this arrangement is likely to continue at least to 2011, in the longer term the government intends to stop this distinct funding stream.
- 5.43 Whilst Gypsies and Travellers' preference is for their own private sites, there is again a lack of information as to what proportion of households can afford to meet their needs on the open market. Assessments suggest that Gypsy and Traveller households are as likely, if not more so, as the settled community to require housing involving an element of public subsidy to make them affordable and/or the provision of exception sites (where the value of the land would reflect the presumption against permission being granted for market housing).
- 5.44 Lastly, and as referred to in paragraph 5.37, it may be possible for the development industry to provide sites as part of larger residential developments, but again issues of affordability could be a factor.
- 5.45 There is also a determination of the appropriate site size (and therefore the number of sites). Evidence from the various research studies shows a preference by Gypsies and Travellers for relatively small sites (up to 15 pitches). This has clearly been influential in the way that the RSS review options set out in Table 7 have proposed local authority pitch requirements. Small sites are also more likely to be assimilated into a local community and reduce the potential tensions between Gypsies and Travellers and the settled community. Sites should, as advised in Circular 1/2006, respect the scale of, and not dominate, the nearest settled community and should avoid placing undue pressure on the local infrastructure.

**Question 10**

To what extent is it reasonable and appropriate to rely on Gypsies and Travellers delivering the required level of pitch provision through acquiring their own private sites?



**Question 11**

Should the Council be responsible for acquiring and managing the required level of pitch provision through a Registered Social Landlord, and how should this be funded?

**Question 12**

How realistic is it to expect the development industry to provide sites as part of larger residential developments and how should such sites be funded?

**Question 13**

Is there an optimum site size in terms of number of pitches (or range of pitch numbers) and if so what is this?

## **6. SUSTAINABILITY APPRAISAL**

### **Background**

- 6.1 As part of the process of producing DPDs, the Act requires a Sustainability Appraisal (SA) to be undertaken in parallel with preparation of the DPD. The SA process also incorporates the requirements for an environmental assessment of plans and programmes under Article 13.3 of the Strategic Environmental Assessment Directive (Regulation 6.2).
- 6.2 The SA is an iterative process that seeks to identify and report on the likely significant effects of the plan policies and proposals, and identify the extent to which it will deliver sustainable development objectives.

### **The Sustainability Appraisal of the Gypsies and Travellers DPD**

- 6.3 The SA of this Gypsy and Traveller DPD is being undertaken by Scott Wilson on behalf of the Council.
- 6.4 The first stage in producing the SA is to establish the baseline information. A baseline evidence report has been prepared by Essex County Council, and can be viewed on the Council website at [http://www.brentwood.gov.uk/pdf/pdf\\_1270.pdf](http://www.brentwood.gov.uk/pdf/pdf_1270.pdf). This has been provided to Scott Wilson.
- 6.5 As part of the first stage of the SA, a scoping report has been prepared and was published in draft for consultation in June 2007. This document sets out the appraisal objectives, reviews relevant plans and programmes, and refers to the baseline information.
- 6.6 The consultation responses have been taken into account in developing the final version of the scoping report and in the preparation of a draft Sustainability Appraisal report, which is also published for comments with the Issues and Options consultation document and available to view on the Council's website.

## APPENDIX 1: LIST OF ABBREVIATIONS AND GLOSSARY OF KEY TERMS (Note terms in *italics* are explained elsewhere in the glossary)

- DCLG**      **Department of Communities and Local Government:** new Department created on 5 May 2006, replacing the *Office of the Deputy Prime Minister*, with increased responsibilities for local government, social exclusion, neighbourhood renewal, communities, race, faith, and equalities
- DPD**      **Development Plan Document:** those documents that, together with the *Regional Spatial Strategy*, form the *Development Plan* for the area, and are subject to independent examination (including a Core Strategy, Site Specific Allocations, Action Area Plans, and Generic Development Control Policies). The programme for preparing *Development Plan Documents* is set out in an authority's *Local Development Scheme* and can be reviewed in whole or part independently from one another.
- EERA**      **East of England Regional Assembly:** exists to promote the economic, social and environmental well-being of the region. It consists of a partnership of elected representatives from the 54 local authorities in the East of England and appointed representatives from social, economic and environmental interests (Community Stakeholders). Forms the regional planning body responsible for preparing the *Regional Spatial Strategy*.
- EPOA**      **Essex Planning Officers' Association:** county-wide forum consisting of representatives of Chief Planning Officers from each Essex local authority
- GO-East**      **Government Office for the East of England:** join up the work of eleven Central Government Departments across the East of England, and feed back the region's views and needs to Whitehall.
- GTAA**      **Gypsy and Traveller Accommodation Assessment:** produced by local authorities to assess the accommodation needs of Gypsies and Travellers within their areas.
- LDD**      **Local Development Document:** the collective term for *Development Plan Documents*, *Supplementary Planning Documents* and the *Statement of Community Involvement*.
- LDF**      **Local Development Framework:** the name for the portfolio of *Local Development Documents*, consisting of *Development Plan Documents*, *Supplementary Planning Documents*, a *Statement of Community Involvement*, the *Local Development Scheme* and Annual Monitoring Reports, which together will provide the framework for delivering the spatial strategy for the Borough.
- LDS**      **Local Development Scheme:** the programme for preparing *Local Development Documents*. All authorities must submit a Scheme to the Secretary of State for approval within six months of commencement of *the Act*.

<b>ODPM</b>	<b>Office of the Deputy Prime Minister:</b> former Department, now <i>Communities and Local Government</i> .
<b>PPS</b>	<b>Planning Policy Statement:</b> set out the Government's national policies on different aspects of planning. Replace Planning Policy Guidance Notes.
<b>RSS</b>	<b>Regional Spatial Strategy:</b> part of the Development Plan setting out the region's policies in relation to development and use of land.
<b>SA</b>	<b>Sustainability Appraisal:</b> a tool for appraising policies to ensure that they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required to be undertaken for all <i>Local Development Documents</i> and <i>the Statement of Community Involvement</i> .
<b>SCI</b>	<b>Statement of Community Involvement:</b> Whilst not a <i>Development Plan Document</i> the statement of community involvement is subject to independent examination and sets out the standards that authorities will achieve in regard to involving local communities in the preparation of <i>Local Development Documents</i> and development control decisions.
<b>SoS</b>	<b>Secretary of State:</b> for <i>Communities and Local Government</i>
<b>SPD</b>	<b>Supplementary Planning Document:</b> these documents do not form part of the Development Plan and are not subject to independent examination, but provide supplementary information in respect of the policies in <i>Development Plan Documents</i> .
<b>SSSI</b>	<b>Site of Special Scientific Interest:</b> are the country's very best wildlife and geological sites. The Countryside and Rights of Way Act 2000 gives Natural England powers to ensure better protection and management of SSSIs and safeguard their existence into the future.
<b>The Act</b>	<b>The Planning and Compulsory Purchase Act 2004</b> is the primary legislation for the new development plan process.
<b>The Regulations</b>	<b>The Town and Country Planning (Local Development) (England) Regulations 2004:</b> sets out the detailed statutory requirements of the new development plan process as enacted in Part II of <i>The Act</i> .

## APPENDIX 2: ANALYSIS OF THE FORDHAM RESEARCH SURVEY 2004

Fordham Research undertook a survey of all the Gypsy and Traveller families resident on both authorised and unauthorised sites within the Borough during March and April 2004. The results of the survey which achieved a 100% face to face interviews with the heads of household of all 36 families living within the Borough provides both quantitative and qualitative data at that point in time.

A summary of some of that information is set out below:

### Household Size

The largest proportion of households were 5-person, being 10 of the 36 households interviewed (27.8%). The next highest proportion was 2-person households (25%). The average household size of resident Gypsies and Travellers was 3.25 persons, which is slightly lower than the average of 4 persons taken in the Essex GTAA study and compares with 2.4 persons for the settled Borough population in the 2001 Census.

13.9% of households were one person (comparable to the 14% in the Essex GTAA) and compared to 28.4% of the settled community (2001 Census).

<b>Table 9: Household Size</b>		
<b>Number of Persons</b>	<b>Number of Households</b>	<b>%age of Total Households</b>
One	5	13.9
Two	9	25.0
Three	7	19.4
Four	4	11.1
Five	10	27.8
Six	0	0.0
Seven	1	2.8
Total	36	100.0
<b>Average Household size</b>		3.25

### Number of Caravans per Household

The majority of Gypsy and Traveller households lived in one caravan (72.2%), and only 2 of the 36 households lived in more than 2 caravans (one household in 3 caravans and one household in 5 caravans).

The average number of caravans per household was 1.4 caravans, which lower than the average 2 caravans per household in the Essex GTAA and slightly lower than the average of 1.7 caravans to pitch ratio found in the RSS research of GTAA's across the region.

In terms of both household size and caravans per household, therefore, the existing resident Gypsy and Traveller population in the Borough displays slightly lower figures than the average across the county.

<b>Table 10: Number of Caravans per Household</b>		
<b>Caravans</b>	<b>Number of Households</b>	<b>%age of Total Households</b>
One	26	72.2
Two	8	22.2
Three	1	2.8
Four	0	0.0
Five	1	2.8
<b>Total</b>	<b>36</b>	<b>100.0</b>
<b>Average Number of Caravans</b>		<b>1.4</b>

### Age and Gender

Of the 118 Gypsy and Traveller family members resident in the Borough at the time of the Fordham survey, 65 were female (55.1%) and 53 were male (44.9%), compared to 51% female and 49% male in the settled community.

A significant number of resident Gypsies and Travellers were under 16 years of age, 52 of the 118 persons (44%), compared to only 23.4% of the settled community, whereas only 8.5% were over 60 years, compared to 23.9% of the settled community. This would reflect the generality of Gypsy and Traveller families marrying and having children younger and often larger families. It would also tend to indicate the shorter life expectancy of Gypsies and Travellers.

<b>Table 11: Age &amp; Gender of Resident Gypsies and Travellers</b>		
<b>Age Group</b>	<b>Number of Persons</b>	<b>%age of Total Persons</b>
1 to 10	30	25.4
11 to 16	22	18.6
17 to 30	16	13.6
31 to 60	40	33.9
61+	10	8.5
<b>Total</b>	<b>118</b>	<b>100.0</b>
<b>Gender</b>	<b>Number of Persons</b>	<b>%age of Total Persons</b>
Male	53	44.9
Female	65	55.1

## Working Status

The Survey indicated that only 29.2% of the resident Gypsy and Traveller population were in employment (19.5% in full time employment). Of the remaining 70% who were not in employment over half (41%) were under schooling age, at school or under 16.

Discounting those under 16 years, therefore, would still only give 47.1% of the economically active in employment, compared to 64.4% in the settled population. Of those who were in employment, 45% were classed as in the 'construction' business, 3% were classed as in the 'entertainment' business while the remainder were considered 'other'.

Status	Number of Persons	%age of Total Persons
Full Time Employment	23	19.5
Part Time Employment	12	10.2
Retired	6	5.1
Unemployed	1	0.8
Long-term Sick or Disabled	3	2.5
Pre-school or in Education	48	40.7
Other not Working	24	20.3
No Response	1	0.8
Total	118	100.0

## Travelling and Site History

20 of the households had been living a fairly settled existence over the last 5 years, having lived on fewer than 5 sites, with 12 households having been resident on their existing site for that period and in deed longer.

However, the other 16 households had lived on more than 10 sites over the previous 5 years and in the case of two households, more than 50 sites. The most recent site histories show a preponderance of travelling with Essex and the London Area, but as sites go further back, the area of travel increases to include locations as wide as Norwich, Northampton, Bristol, Nottingham and Devon.

The most frequent reason given by far for moving between sites was that the police had moved the family on (for the last five sites this ranged from between 56.5% to 72.2% of responses). However, intimidation was also a given as a significant factor and the next most frequent reason (between 13.0% and 22.2%). Moving due to work or to be near family was a relatively infrequent reason for moving (4.2% to 13.0% and 4.3% respectively).

<b>Table 13: Number of Sites Lived on During Last 5 Years</b>		
<b>Number of Sites</b>	<b>Number of Households</b>	<b>%age of Total Households</b>
No Other Sites	12	33.3
1	1	2.8
4	5	13.9
5	2	5.6
11 to 15	2	5.6
16 to 20	8	22.2
21 to 50	4	11.1
51 to 100	1	2.8
2001 to 300	1	2.8
Total	36	100.0

<b>Table 14: Reason for Leaving Last 5 Sites</b>		
<b>Reason</b>	<b>Number of Moves</b>	<b>%age of Total Moves</b>
Moved due to work	9	7.2
Moved to be nearer family	2	1.6
Intimidation	20	16.0
Moved on by Police	68	54.4
Section 61	5	4.0
Chose to move	4	3.2
Unable to find anywhere to settle permanently	9	7.2
To keep families together and be secure	4	3.2
Site overcrowded	1	0.8
Site Demolished	1	0.8
Relationship breakdown	1	0.8
Built a MCD there	1	0.8
Total	125	100.0

Of the 36 households interviewed, 20 stated that they do still travel (55.6%) and 16 stated that they did not (44.4%). Of those households that do travel, 8 spend less than 6 weeks a year away from their residential site travelling (40.0%) and 10 spend less than 16 weeks travelling (50.0%). Travelling was predominantly undertaken during summer (90.0%) and spring (70.0%) with no travelling during the winter.

The main reason for travelling was given as “traditional” reasons (95.0%), with “family” (60.0%) and “economic” (45.0%).



Of the 20 households who responded that they do travel, 18 confirmed that they intended to travel in the future, one that they would not and one that they did not know.

## **APPENDIX 3: COMPARISON OF THE METHODOLOGIES FOR CALCULATING PITCH REQUIREMENTS IN THE RSS REVIEW AND THE ESSEX GTAA**

### **1. The Regional Spatial Strategy Review**

The RSS review pitch requirement options are based on “Preparing Regional Spatial Strategy Reviews on Gypsies and Travellers by Regional Planning Bodies”, a research report prepared by the University of Birmingham, the University of Salford and the Sheffield Hallam University, published by the Department of Communities and Local Government (March 2007):

The number of pitches is calculated from the following formula:

$$\mathbf{R = UDP + 0.4AP}$$

Where:

**R** = the pitch requirement

**UDP** = the number of pitches in unauthorised development calculated by Count caravans on unauthorised sites on Gypsy-owned land divided by 1.7

**AP** = the number of authorised pitches calculated by Count caravans on authorised social rented and private sites divide by 1.7

(1.7 is the average caravans to pitch ratio in the GTAA's assessed in the research report)

The report acknowledges that the formula can, of course, be criticised. It is essentially pragmatic and devised for its simplicity rather than sophistication. However, the report states that it should provide a reasonable estimate of pitch requirements, based on current good practice.

By expressing requirements from all factors other than unauthorised development as a percentage of current authorised pitches, the formula essentially conflates the different elements in need and supply into a single composite figure. It thus represents current shortage and concealed households, future household growth, net movement between sites and houses, net movement into and out of the study area, an allowance for need from unauthorised encampments and supply factors. It follows that it would be unwise to apply the formula in areas with very unusual characteristics, for example:

- In some highly urban areas where most Gypsies and Travellers live in housing but may still need site accommodation.
- In areas where unauthorised encampment is predominantly an indication of need for permanent rather than temporary accommodation.
- Where there are unusually high proportions of New Travellers who generally have smaller families and lower household formation rates.

### **2. The Essex Gypsy and Traveller Accommodation Assessment**

Methodology for projected increase in pitches, contained in “Looking Back, Moving Forward: Assessing the Housing Needs of Gypsies and Travellers in Essex, prepared by the University of Salford on behalf of the Essex Planning Officers Association (February 2006):

### **Formula for estimating current household formation level:**

Caravan count x average caravan occupancy = Estimated Gypsy and Traveller population.

Estimated Gypsy and Traveller population ÷ average household size = Number of Gypsy and Traveller households.

### **Notes**

Caravan count based on last 5 caravan counts (July 2003 – July 2005) in each authority as a basis to extrapolate a mean figure of Gypsies and Travellers accommodated in Essex at any one time over the last 2 years, including unauthorised developments, authorised council sites and authorised private sites

Average occupancy level based on self-reporting of the participants in the research

Average household size based on self-reporting of the participants in the research

### **Formula for estimating future household formation levels and pitch requirement**

Current number of Gypsy and Traveller households + estimated rate of local future household increase = Estimated number of future Gypsy and Traveller households.

Projected increase in Gypsy and Traveller households x average household size = Estimated population increase.

Estimated population increase ÷ average caravan occupancy level = Projected number of additional caravans.

Projected number of additional pitches = Projected number of additional caravans ÷ 2

### **Notes**

Growth rate in households taken from that applied to the settled community in Essex by ODPM (2004) Interim 2002-based Projection of Households in England (4.95% for 2006-2011 and 5.11% for 2011-2016).

The caravan to pitch ratio of 2 equates to both the Local Authority policy of caravan to pitch ration and to the mean number of caravans found during the research project.

The growth rate for new household formation takes into account trend-based projections of natural change (births and deaths), marital composition and 'settled community' migration. However, the research acknowledges that it is unable to deliver an accurate rate for the particular lifestyle characteristics for Gypsies and Travellers (large families, early marriage, shorter life-spans and nomadism). As a result this increase should be taken as representative as only a minimum projection. During the course of the qualitative data collection it has consistently been found that Gypsy and Traveller family norms facilitate household formation at a faster rate than settled community as children marry younger (often 16-18) and obtain their own accommodation separate to their parents.