

EXAMINATION OF THE SOLIHULL LOCAL PLAN – INSPECTORS INITIAL QUESTIONS

This statement has been prepared as a response to matter (b) from the Inspectors’ initial request for information/clarification via their letter dated 24th June 2021.

Matter (b) related to Gypsies and Travellers and sought clarification “of the updated situation regarding the GTAA, the implications for the need identified and how that will be met and implications for Policy P6.”

Council’s Response

1. In October 2019 the Council commissioned Opinion Research Services Ltd (ORS) to update the Gypsy and Traveller Accommodation Assessment (GTAA) in order to identify the future accommodation requirements of Gypsies and Travellers in Solihull over the period 2020 – 2036 and inform Policy P6 of the Local Plan Review.
2. However, completion of the GTAA was significantly delayed by the Covid-19 pandemic which impacted the completion of the household interviews required to support this work. At the time of publishing the Regulation 19 Draft Submission Plan, the GTAA had not been finalised. Whilst Policy P6 made reference to this and set out the Council’s intended approach to the provision of accommodation for Gypsies and Travellers, pitch numbers were not available at the time for inclusion in the Policy.
3. The final GTAA has now been completed and identifies a need for 53 additional pitches between 2020 and 2036. It should be noted that this figure includes the needs arising from Gypsies and Travellers who meet the Planning Policy for Traveller Sites (PPTS) planning definition of a Traveller, as well as those who do not¹. This overall need is set out in the table below:

Status	2020 – 2036
Meet the PPTS planning definition	38 pitches
Undetermined households	6 pitches
Do not meet the PPTS planning definition	9 pitches
Total	53 pitches

¹Whilst only the need from those households who meet the planning definition is formally considered as need arising from the GTAA, as part of the Council’s wider responsibilities to meet the accommodation needs of its settled community, the Policy also sets out the approach to meeting the needs of Travellers who do not meet the PPTS Planning definition.

4. The following tables set out how this need is broken down into 5 year periods between 2020 – 2036.

Pitch requirements for Gypsy and Traveller households that meet / may meet the PPTS planning definition:

Years	0-5	6-10	11-15	16-17	Total
	2020-2024	2025-2029	2030-2034	2035-2036	
Meet the planning definition	21	3	9	5	38
Undetermined households	1	2	1	0	4
Total	22	5	10	5	42

Pitch requirements for Gypsy and Traveller households that do not meet the PPTS planning definition:

Years	0-5	6-10	11-15	16-17	Total
	2020-2024	2025-2029	2030-2034	2035-2036	
Do not meet the planning definition	3	1	2	3	9
Undetermined households	0	0	1	1	2
Total	3	1	3	4	11

5. The GTAA makes no recommendation for a transit site in Solihull due to low historic numbers of unauthorised encampments, and there is no requirement for a Travelling Showpeople site in the Borough.
6. To reflect the findings of the GTAA, Policy P6 and the supporting text will need to be updated accordingly. The suggested modifications are highlighted as tracked changes in Appendix 1.
7. In accordance with the PPTS the Policy sets pitch targets for Gypsies and Travellers who meet the planning definition. It also notes the number of pitches required for those who do not meet the definition in the PPTS. As required, the policy and supporting text identify how the need for pitches can be met in the first 5 years and for years 6 to 10. The Policy also commits to undertaking an updated Gypsy and Traveller Site Allocations Plan to address more longer term needs, if required.
8. The Council considers that this is a sound approach which accords with the requirement of the NPPF and the PPTS. If deemed appropriate by the Inspectors, the Council would welcome this revised version of Policy P6 to be considered as a main modification.

Policy P6 – Provision of Accommodation for Gypsies and Travellers

1. The Council will seek to meet the identified need for 42 additional permanent residential pitches to 2036 as set out in the 2021 Gypsy and Traveller Accommodation Assessment (GTAA). This is to meet the needs arising from Gypsies and Travellers who meet the Planning Policy for Traveller Sites (PPTS) planning definition of a Traveller. The Council also acknowledges the need for an additional 9 pitches for those who have ceased to travel permanently. It also includes an allowance for 'undetermined' households where it was not possible to complete an interview during the completion of the GTAA.
4. ~~An updated Gypsy and Traveller Accommodation Assessment (GTAA) is currently being undertaken and is in the process of being completed. The Council will seek to meet the need for any permanent residential pitches to 2036 that is identified in the updated GTAA. This will include meeting the needs arising from Gypsies and Travellers who meet the Planning Policy for Traveller Sites (PPTS) planning definition of a Traveller, as well as those who have ceased to travel permanently. It will also include an allowance for 'undetermined' households, where it was not possible to complete an interview during the completion of the GTAA, where required.~~

Gypsies and Travellers who meet the PPTS planning definition:

2. The GTAA identifies a need for 38 permanent residential pitches for Gypsies and Travellers who meet the PPTS planning definition of a Traveller. An allowance of an additional 4 pitches for 'undetermined' households that are likely to meet the planning definition is also provided for. This total need of 42 pitches is divided into 5 year periods as follows:

Years	0-5	6-10	11-15	16-17	Total
	2020-24	2025-29	2030-34	2035-36	
Meet the Planning definition	21	3	9	5	38
Undetermined households	1	2	1	0	4
Total	22	5	10	5	42

- 2.3. ~~This need~~ The accommodation needs of Gypsies and Travellers who meet the PPTS planning definition of a Traveller will be met through a combination of the remaining site allocations in the Council's adopted Gypsy and Traveller Site Allocations Plan (2014) that have not yet come forward; ~~work to identify whether need can be met through other~~ unimplemented planning consents and vacant pitches on sites; and ~~through work on a pitch deliverability assessment to identify whether identified need can be met~~ through the intensification of existing, authorised Gypsy and Traveller sites.
- 3.4. The remaining pitch allocations in the Site Allocations Plan are:
 - i. The Haven – 6 pitches

ii. Old Damson Lane – 2 pitches

4.5. As far as possible, the Council will seek to meet any remaining need within the boundaries of existing authorised sites, or through an updated Gypsy and Traveller Site Allocations Plan.

5.6. The following criteria will be used in the allocation of future sites and subject to compliance with other policies in the plan, applications which perform well against the criteria and which contribute to meeting any identified unmet need, will be considered favourably:

- i. The size and scale of the site and the number of caravans stationed is appropriate to the size and density of the local settled community, having regard to factors such as the scale and form of existing pitches and sites in the locality, and the availability of infrastructure, services and facilities;
- ii. Any unacceptable adverse visual impact can be adequately minimised;
- iii. The site is not in an area prone to flooding;
- iv. Any unacceptable adverse impact on landscape or local nature conservation designations, ecology, biodiversity, water quality, or the historic environment can be mitigated;
- v. There is no unacceptable adverse impact on privacy and residential amenity for both site residents and neighbouring land uses, and the site will provide safe and healthy living conditions for site occupants;
- vi. The site has safe and convenient access to the highway network;
- vii. The site is of a sufficient size to support the provision of amenities and facilities for the number of caravans proposed, and will have adequate circulation space within the site for the parking and safe manoeuvring of vehicles and trailers;
- viii. Local services and facilities such as schools, health facilities, fresh food and employment are accessible by walking, cycling and public transport, or it can be demonstrated that the site is sustainable in other ways.

6.7. Sites in the Green Belt (whether temporary or permanent) will not be permitted unless other reasonable alternative locations have been robustly discounted, including the availability of existing local provision, and only then where applicants can demonstrate 'very special circumstances' as required by the PPTS.

7.8. Applications to intensify existing authorised Gypsy and Traveller Sites that contribute to meeting any **the** need that may be identified in the forthcoming 2021~~20~~ GTAA will also be supported where they meet the above criteria.

Gypsies and Travellers who do not meet the PPTS planning definition:

8.9. **The GTAA also identifies a need for 9 permanent residential pitches for Gypsies and Travellers who do not meet the PPTS planning definition of a Traveller. An allowance of an additional 2 pitches for 'undetermined' households that are unlikely to meet the planning definition is also provided for. This amounts to a total of 11 pitches. The provision of pitches for Gypsies and Travellers who have**

~~ceased to travel permanently and do not meet the PPTS planning definition will be supported, should any need be identified in the forthcoming 2020 GTAA.~~

- 9-10. Proposals for new sites or pitches, and applications for the intensification of existing sites **to meet this need** will be assessed against criteria i–viii above. Subject to compliance with other policies in the Plan, applications which perform well against the criteria will be considered favourably.
- 40-11. Sites in the Green Belt (whether temporary or permanent) will not be permitted unless other reasonable alternative locations have been robustly discounted, including the availability of existing local provision, and only then where applicants can demonstrate ‘very special circumstances’ as required by the PPTS.

Justification

244. Gypsies and Travellers in England have some of the worst outcomes of any group across a range of social indicators. It is well recognised that they are amongst the most socially excluded groups in society and research has consistently confirmed the link between the lack of good quality sites for Gypsies and Travellers and poor health and education. Accommodation issues contribute to many of the inequalities that Gypsy and Traveller communities experience, and are frequently a source of tensions between travelling and settled communities. The Government and the Council acknowledge that these inequalities and tensions must be addressed, but it is crucial to ensure that the planning system is not abused and that development is located in the most appropriate locations.
245. Together with the NPPF, the 2015 Planning Policy for Traveller Sites (PPTS) sets out how local planning authorities should plan for the future accommodation needs of Gypsies and Travellers in their area. The PPTS highlights that the traditional and nomadic way of life of Gypsies, Travellers and Travelling Showpeople should be facilitated, while respecting the interests of the settled community and that planning authorities should make their own assessment of need, using a robust evidence base to establish accommodation requirements. Local Planning authorities should set pitch targets for Gypsies and Travellers and plot targets for Travelling Showpeople which address the likely permanent and transit site accommodation needs of travellers in their area.
246. Gypsies and Travellers are defined in the PPTS 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, but excluding members of an organised group of travelling showpeople or circus people travelling together as such’.
247. The Council is required to specifically and separately address the future accommodation needs of Travellers who meet the PPTS planning definition of a Traveller over the plan period. For those Gypsies and Travellers who do not lead a nomadic lifestyle (i.e. that have ceased to travel permanently and do not therefore meet the PPTS planning definition), there remains a requirement for the Council to continue to assess and plan for their needs as part of its wider responsibilities to plan to meet the accommodation needs of its settled community. Additionally, the Human Rights Act 1998 and the Equalities Act 2010 protect the cultural choice of Gypsies and Travellers to live in mobile accommodation. In accordance with the NPPF and the Council’s public sector equality duty, these needs are also addressed in Policy P6.
248. **The Solihull GTAA was updated in 2021.** ~~The Council has commissioned an updated GTAA to identify the future accommodation requirements of Gypsies and Travellers in~~

~~Solihull over the period 2020 to 2036. However, the Covid-19 pandemic has had a severe impact on the completion of the household interviews that are required to support this work and at the time of publishing this Draft Submission Plan, the 2020 GTAA has not yet be finalised. Notwithstanding this, the The GTAA is has assessed~~ing the needs of all Gypsy and Travellers in the Borough, including those who meet the planning definition of a Gypsy or Traveller and those who do not. The GTAA ~~will~~ also includes an assessment of need for any households that it ~~is~~ was not possible to interview (largely as a result of the Covid-19 pandemic which impacted on the fieldwork undertaken in 2020) – this is referred to as undetermined need and the GTAA ~~will~~ includes recommendations on how this need should be addressed.

249. The GTAA has identified a need for 38 permanent residential pitches for Gypsies and Travellers who meet the PPTS planning definition of a Traveller. An allowance of 4 additional pitches has been made to meet the needs of undetermined households who are likely to meet the definition based on the existing local position. As required by the PPTS, their accommodation needs are specifically and separately addressed in the Policy.
250. As set out in the table below, a total of 42 permanent residential pitches will therefore need to be provided in the Borough to 2036. Of these, 22 pitches are required in the first five years between 2020 and 2024, 5 are required between 2025 and 2029, 10 are required between 2030 and 2034, and 5 are required between 2035 and 2036.

Years	0-5	6-10	11-15	16-17	Total
	2020-24	2025-29	2030-34	2035-36	
Meet the Planning definition	21	3	9	5	38
Undetermined households	1	2	1	0	4
Total	22	5	10	5	42

249. Historically, the Council has demonstrated a positive and proactive approach to making sure that the needs of the Gypsy and Traveller community have been met, and it will continue to do so. In 2014, the Council adopted a Gypsy and Traveller Site Allocations Plan to address the pitch requirements as set out in the previous 2012 GTAA. The Site Allocations Plan allocates sites to meet the identified need of 38 permanent residential pitches between 2012 and 2027, in full. Whilst most of the allocated sites now have planning permission, there are 8 pitches on identified site allocations that have not yet come forward through the planning application process. These sites / pitches were originally phased to come forward post 2017 to ensure provision later in the plan period and to secure the longer term need for sites.
- ~~250. The accommodation needs of travelling Gypsies and Travellers who meet the PPTS definition will be met through these remaining sites allocations, In addition, data in the GTAA identified that there were a further 18 pitches that were vacant / not developed.~~
250. The remaining site allocations in the Council's adopted Gypsy and Traveller Site Allocations Plan (2014), together with unimplemented planning consents and vacant / undeveloped pitches on existing authorised sites, amounts to 26 pitches. ~~and emerging analysis~~ The GTAA also suggests that any additional immediate need may be accommodated through intensification of use within the boundaries of existing authorised sites. This could address levels of need for single concealed or doubled-up adults and from teenagers who will be in need of a pitch of their own in the next 5 years. In the short to medium-term the GTAA suggests that it is unlikely that the accommodation need of these individuals will need to be met through traditional

~~pitches. Where required, the Council will undertake an update of its Gypsy and Traveller Site Allocations Plan. In accordance with the PPTS, the policy sets out the criteria that will be used to guide the allocation of future sites.~~

251. Given **this, together with** the historic lack of suitable and available land outside the Green Belt for new Gypsy and Traveller sites, applications to intensify existing authorised ~~Gypsy and Traveller Sites~~ that contribute to meeting **any the** need identified in the ~~forthcoming 2021~~¹⁰ GTAA for Gypsies and Travellers that meet the PPTS planning definition will also be supported where they meet the criteria set out in the Policy. This will ensure the effective use of land and optimise the use of existing sites. It will also have social benefits as many Gypsy and Travellers wish to live in extended family groups.
252. **This combination approach will enable the Council to meet its identified need of 27 pitches needed up to 2030 without requiring additional sites to be identified. Where required, the Council will undertake an update of its Gypsy and Traveller Site Allocations Plan to address more longer-term needs that may require the identification of additional sites. In accordance with the PPTS, the policy sets out the criteria that will be used to guide the allocation of future sites.**
- ~~252.~~^{253.} Planning applications to meet the need of Gypsies and Travellers who do not meet the PPTS planning definition will also be considered against the criteria as set out in the Policy.

Challenges and Objectives Addressed by the Policy

- B Meeting housing needs across the Borough, including the Borough's own needs and, where possible, assisting with accommodating the HMA wide shortfall.
- F Reducing inequalities in the Borough
- G To maintain a supply of Gypsy and Traveller sites and pitches