



**EXAMINATION OF THE CITY OF YORK LOCAL PLAN
2017-2033**

PHASE 3 HEARINGS

**MATTER 9: GYPSIES AND TRAVELLERS AND TRAVELLING
SHOW-PEOPLE**

CITY OF YORK COUNCIL STATEMENT

Matter 9 – Gypsies and Travellers and Travelling Show-People

9.1 Have those needs of Gypsies and Travellers and Travelling Show-People been properly assessed?

- 9.1.1 Yes, CYC submitted a Gypsy and Traveller Accommodation Assessment (GTAA, 2017) [SD059] as evidence supporting the 2018 submitted Plan, which provided a robust assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in York for the 16-year period to 2032.
- 9.1.2 In light of the duration of the Examination period, the Council has taken the proactive step to review the GTAA 2017 to ensure that the Plan continues to be supported by an up-to-date evidence base, enabling the Plan to deliver the requirements of, and reflect guidance in, the NPPF and Planning Policy for Traveller Sites 2015 (PPTS), and to deliver a permanent Green Belt boundary. The methodology underpinning the Gypsy and Traveller Accommodation Assessment (June 2022) (attached at appendix 1) has been updated in light of emerging case law, Ministerial Statements, the outcomes of Local Plan Examinations, Planning Appeals, and to reflect Planning Policy Guidance. The assessment covers the period 2022-2038, addressing the Plan period to 2033, the 15-year housing requirements of the PPTS and the Housing Market Assessment period to 2038;
- 9.1.2 The NPPF advises that the Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area (para 47), plans for a mix to meet the needs of different groups in the community (para 50), and at para 159 states that LPAs should have a clear understanding of housing needs in their area, referring to PPTS in relation to the means of assessing Travellers' accommodation needs.
- 9.1.3 PPTS forms the primary guidance for undertaking the CYC's assessment of housing need but does not provide a methodology for doing so. PPTS

guides LPAs in assembling the evidence base necessary to support their planning approach. Reflecting PPTS paras 4-9 in particular, the GTAA2022 methodology:

- a. developed from early and effective community engagement (re PPTS para 7), the scope of which is set out in the GTAA2022 sections 3.9 to 3.20, Appendix E and summarised in Figure 6. In summary a total of 62 detailed interviews or proxy interviews¹ were completed with Gypsy, Traveller and Travelling Showperson households living on sites and yards in York between April and June 2022.
- b. makes its own assessment of need for the CYC authority area (re PPTS para 4). The provision of suitable sites to accommodate need was identified as a strategic issue for the Plan, as is set out in Phase 1 Hearing Statement on DtC matters [EX/HS/M1/LR/0a] and discussed during Phase 1 examination. None of the adjoining authorities have approached the Council about accommodation needs, and CYC has determined to meet its own identified needs.
- c. responds to the revised planning definition of Travellers (re PPTS Annex 1), summarised in GTAA2022 paras 3.21 – 3.35. Through site interviews ORS sought to collect information necessary to assess each household against the planning definition (para 3.22 sets out the key questions used). Households considered in the GTAA fall under one of 3 classifications. Only those households that meet, or may meet, the planning definition form the components of need to be included in the GTAA:
 - Households that travel under the planning definition;
 - Households that have ceased to travel temporarily under the planning definition;
 - Households where an interview was not possible who may fall under the planning definition (undetermined

¹ Where information was obtained from other family members, site residents or site managers.

households). An approach has been taken that seeks an estimate of potential need from these households, as set out in GTAA2022 paras 3.26 - 3.33. Broadly, using data collected from over 5,000 interviews completed by ORS since the changes to PPTS in 2015 which suggests that approximately 30% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a proportion of the potential need identified from undetermined households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will be addressed through separate Local Plan policies.

The needs of those households that do not meet the planning definition were assessed to provide CYC with components of need as part of wider assessments of housing needs; this is set out in GTAA2022 Appendix C.

- d. provides an up-to-date understanding of likely permanent and transit accommodation needs over the lifespan of the development plan (re PPTS2015 para 7). Residential and transit pitch needs are identified separately, with work undertaken to analyse unauthorised sites and encampments, and the outcomes of interviews with Council Officers (including from neighbouring authorities) and other stakeholders; the approach is described in paras 3.47-3.54, with recommendations set out in paras 6.37-6.45. The GTAA2022 does not identify a need for transit provision in York, but instead supports CYC's approach to tolerated or negotiated stopping arrangements in the short-term.
- e. assesses the needs for both those seeking private site provision and those who cannot provide their own sites (re PPTS2015 para 4) recommending that need in York is met through additional public pitches or a new public site.

- f. sets pitch targets for Gypsies and Travellers as defined in Annex 1 (re PPTS para 9) based on current need, tested assumptions of new household formation, and current supply. The approach is set out in GTAA2022 section 6, and future need is summarised in Tables 1-4 below:

Table 1: Additional need for Gypsies and Travellers that meet the planning definition (2022 – 2038)

Category	Pitches
Total supply	0
Total current need	3
Total future need (from new household formation)	11
Net pitch need	14

Table 2: Additional need for Gypsies and Travellers that meet the planning definition (2022 – 2038) by 5-year periods

Years	0-5	6-10	11	12-15	16	Total
	9	3	2	0	0	14

Table 3: Maximum additional need for undetermined Gypsies and Travellers in York (2022-2038)

Category	Pitches
Total supply	0
Total current need	1
Total future need (from new household formation)	1
Net pitch need	2
GTAA based on 30% of households meet definition	1
SHMA based on 70% of households not meeting definition	1

Table 4: Summary of need for Gypsies and Travellers

Category	Pitches
Defined net pitch need	14
30% unknown need	1
GTAA total need	15

- g. Sets plot targets for travelling showpeople as defined in Annex 1 based on current need, tested assumptions of new household formation, and current supply. The study identified 1 small yard in York occupied by members of the same family, and all future need arises from this household. The approach is set out in GTAA2022 section 6, and future need is summarised in Tables 5 and 6 below. No additional need from undetermined Travelling Showpeople was evidenced.

Table 5: Maximum additional need for Travelling Showpeople households that meet the Planning definition (2022-2038)

Category	Pitches
Total supply	0
Total current need	1
Total future needs (from households on yards with temporary planning permission and new household formation)	3
Net plot need	4

Table 6: Additional need for Travelling Showpeople households that meet the Planning definition by 5-year periods

Years	0-5	6-10	11	12-15	16	Total
	3	0	0	1	0	4

- 9.1.4 The Plan uses the GTAA2022 as its evidence base, informing the preparation of the Plan's approach to addressing need and criteria based policy to inform planning decisions (re PPTS para 7 (c)).
- 9.1.5 The study has been conducted by Opinion Research Services (ORS), which has significant experience in producing Travellers Accommodation Assessments over a 20 year period. The methodology used was updated in light of the introduction of the PPG in 2014, changes to PPTS in August 2015 and the Housing and Planning Act 2016. The methodology has evolved to be adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals, and has repeatedly been found to be sound and robust, with specific examples set out in GTAA2022 Section 3, paras 3.3-3.5.

9.2 Does the Plan provide adequately for the needs of Gypsies and Travellers?

9.2.1 Yes, as set out in 9.1 above, the submitted Plan has been positively prepared, and seeks to meet the full objectively assessed need for Gypsies and Travellers.

9.2.2 Local Authorities should ensure a 5-yr land supply to meet identified needs for Gypsy and Traveller sites (see PPTS para. 10(a)) and identify developable sites or broad locations for growth for years 6-10, and where possible, 11-15 (PPTS para. 10(b)). PPTS para 8 and 13 further states that Local Plans must be prepared with the objective of contributing to sustainable development. Reflecting PPTS para 10, the Plan provides for objectively assessed needs for Gypsies and Travellers through the following means:

- Safeguarding existing supply; sites are in sustainable locations, accessible to education, health, welfare and employment infrastructure;
- As set out in 9.1 above, the GTAA2022 identifies need for 15 additional pitches for Gypsies and Travellers in the plan period, which includes an allowance for need from undetermined Gypsy and Traveller households. To accommodate the total need for 15 pitches, we propose modifications to policy H5 to confirm 10 pitches will be provided in the first 5 years of the Plan within the Council's existing sites. Land is in the Council's ownership, is currently vacant and available now, and will be delivered as a public site funded through grant funding and S106 contributions. As such, the Council considers this deliverable.
- 5 further pitches on developable sites/broad locations delivered through H5b) and the criteria-based policy approach at section c of policy H5.

9.2.3 The needs of those households that do not meet the planning definition were assessed to provide CYC with components of need as part of wider assessments of housing needs. CYC has taken a proactive approach to

addressing needs of Travellers not meeting the planning definition, set out in policy H5 part b), as modified by PM66 [EX/CYC/58]. This states:

“b) Within Strategic Allocations

In order to meet the need of those 44 Gypsies and Traveller households that do not meet the planning definition:

Applications for larger development sites of 5ha or more will be required to provide a number of pitches within the site or provide alternative land that meets the criteria set out in part c) of this policy to accommodate the required number of pitches. Commuted sum payments to contribute to development of pitches elsewhere will only be considered where on/off site delivery is proven unviable.”

- 9.2.4 The GTAA2022 identifies future need for 25 pitches from those households not meeting the Planning definition. The approach is set out in paras 6.32-6.34 and figures presented in Appendix C. To bring policy in line with updated evidence, a further modification to policy H5b is proposed to reflect the need both for defined and undefined Travellers identified in the GTAA2022 (this is set out in the latest schedule of modifications).
- 9.2.4 Planning applications for Gypsy and Traveller sites will be determined against policy SS1 and the specific criteria set out in policy H5 c). As stated in NPPF paras 56/58, good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Criteria at H5 c) provide for proper consideration of a site including the effect of local environmental quality, access to green/amenity space and best practice in site size/density.

9.3 Will Policy H5 be effective in meeting those needs?

- 9.3.1 Yes, policy H5 is deliverable and supported by up-to-date evidence. Please refer to 9.1 and 9.2 above.
- 9.3.2 Concern has been raised that policy H5 is ineffective in that Traveller sites are inappropriate development in the Green Belt, and would not be supported through the Planning process. PPTS para 6 states that Traveller sites (temporary or permanent) in the Green Belt are inappropriate development, and that if land is to be removed from the Green Belt (to inset a Traveller site) it should be specifically allocated in the development plan as a traveller site only and only through the Plan making process (not in response to a planning application).
- 9.3.3 York is proposing that housing need for Gypsies and Travellers is addressed through the retention and expansion of the existing (non-green belt) public sites, in connection with strategic sites (where green belt boundaries are drawn to exclude development sites) and determined against criteria-based policy.
- 9.3.4 To support delivery, a new post is being created in the Council's Housing Delivery team, funded through S106 revenue. The post will project manage the delivery of additional pitches on existing sites, liaise with developers regarding delivery on Strategic Sites, and bring forward other development options to meet the need identified in the local plan. This will include land identification, stakeholder engagement, design and planning process, procurement and delivery on site.

9.4 Does the Plan provide adequately for the needs of Travelling Show-People?

9.4.1 Yes, as set out in 9.1 above, the submitted Plan has been positively prepared, and seeks to meet the full objectively assessed need for Travelling Showpeople.

9.4.2 Local Authorities have a duty to ensure a 5-yr land supply to meet identified needs for sites for Travelling Showpeople. PPTS para 8 and 13 further states that Local Plans must be prepared with the objective of contributing to sustainable development. Reflecting PPTS para 10, the Plan provides for objectively assessed needs for Travelling Showpeople through the following means:

- As set out in 9.1 above, the GTAA2022 identifies need for 3 additional plots for Travelling Showpeople in the plan period and 1 further plot post 2033, which includes the plot with temporary consent at The Stables, Elvington. To address need, Policy H6 a) identifies land at The Stables, Elvington for 3 private plots. Land is in the ownership of, and currently occupied by, a single family of Showpeople and, reflecting PPTS para 18, provides scope for mixed residential and business uses on the site. The site is deliverable, is in a sustainable location, accessible to education, health, welfare and employment infrastructure;
- Policy H5 b) supports the provision of yards for Travelling Showpeople on suitable existing and allocated employment sites;
- Planning applications for Travelling Showpeople plots/yards will be determined against policy SS1 and the specific criteria set out in policy H6 c). As stated in NPPF paras 56/58, good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Criteria at H6 c) provide for proper consideration of a site including the effect of local environmental quality, access to green/amenity space and best practice in site size/density.

9.5 Will Policy H6 be effective in meeting those needs?

9.5.1 Yes, policy H6 is deliverable and supported by up-to-date evidence. The site is available now, and is in the ownership of, and occupied (under temporary consent) by, the intended occupier. Please refer to 9.1 and 9.4 above.