

East Devon District Council Response to Gypsy and Traveller Accommodation Questions (Numbers 7 to 10) - June 2015

This paper forms the response of East Devon District Council in respect of questions raised by the Inspector for the above Local Plan Examination Hearing Session. The Inspectors Questions are reproduced in bold and the response of the Council is set out below each question.

1. The Devon Partnership Gypsy and Traveller Accommodation Assessment 2014 identifies a need for 37 pitches for gypsies and travellers and 3 sites for travelling showpeople (2014 – 2034)¹.

- a) Are the assessments findings and the targets soundly based?**
- b) Were, as required by national guidance, traveller communities engaged in the production of the assessment?**

a) Are the assessments findings and the targets soundly based?

1.1 In April 2014, the Devon Partnership local and national park authorities² commissioned *RRR Consultancy* Ltd to undertake the Devon Partnership Gypsy and Traveller Accommodation Assessment (GTAA). The purpose of the assessment was to quantify the accommodation and housing related support needs of Gypsies and Travellers (including Travelling Showpeople) in terms of residential and transit/emergency sites, and bricks and mortar accommodation for the period 2014/15-2034/35. The GTAA calculated that over the period 2014-2034 in East Devon there is a need for

- an additional 37 Gypsy and Traveller pitches,
- 3 Travelling Showpeople plots, and
- 23 bricks and mortar units.

1.2 The figures present an accurate and soundly based assessment of future requirements based on robust and reliable evidence. **Appendix 1 to this paper, produced by Dr Alan Rust-Ryan of RRR Consultancy, sets out detailed information in respect of the methodology and process used in calculations.**

1.3 The 2015 Devon Partnership GTAA is based on good practice derived from Government guidance and previous work and involved use of detailed

¹ PSD2015o, Tables 9.2 & 9.3

² Dartmoor National Park Authority, Exmoor National Park Authority, East Devon District Council, Exeter City Council, Mid Devon District Council, North Devon Council, Teignbridge District Council, Torbay Council and Torridge District Council.

analysis processes drawing on primary data collection and use, application and cross-referencing, to secondary data sources. Extensive discussions and interviews were conducted with the gypsy and traveller community, and wider stakeholders, around such factors as current accommodation, travelling patterns, family make up, employment and future needs.

- 1.4 A staged, step by step process (fully detailed in Appendix 1), was used to model future accommodation needs based on and around current circumstances and future emerging need patterns, numbers and levels.

b) Were, as required by national guidance, traveller communities engaged in the production of the assessment?

- 1.5 As explained in the preceding section (and set out in Appendix 1), traveller communities, and their representative organisations, were extensively engaged in the production of the assessment.

- 1.6 Surveys were undertaken with household representatives between October 2014 and November 2014, a time period chosen as Gypsies and Travellers usually travel during the spring and summer months, so few families were travelling during the survey period. A response rate from 47% of pitches was achieved. Attempts were made to contact all families in the District, through site visits, telephone conversations and in writing and all were invited to take part in interviews. Where no response was received, follow up contact was attempted. Interviews were often conducted in the presence of partners, children or extended family members.

- 1.7 It should be noted that residents of one 12 pitch site (accounting for 33% of East Devon's total pitches) did not participate in the survey as the site owner and manager refused access to the interviewers on the basis that his residents were suffering 'consultation fatigue'. He confirmed that the site consists of a combination of private rental pitches and transit pitches, and that permanent pitches are occupied by both English Romany Gypsies and New Travellers. This site is subject to an ongoing enforcement investigation as it is alleged that some/all pitches are not being occupied by gypsies and travellers. This investigation is not yet complete, but, if subsequent findings reveal that the site is occupied by non gypsies and travellers it potentially could:
- a) Reduce total needs – as extrapolation of base data from this site contributed to total need requirements; and
 - b) 'Free-up' pitches that will add to supply and therefore address an element (of a now diminished – point a) above) need.

The study findings include explanatory text to this effect.

1.8 A focus group was undertaken with stakeholders and representatives from the study area including District Council Members with responsibility for Gypsy and Traveller issues; planning policy officers; planning officers; housing strategy officers; enforcement officers; the police and liaison/welfare officers. National organisations representing gypsy and traveller interests were also consulted.

2. *Planning Policy for Traveller Sites requires local planning authorities to 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, working collaboratively with neighbouring local planning authorities. A need has been identified and it has not been met. The Local Plan does not accord with national policy and is, therefore, unsound. How can this be rectified?*

2.1 The Council considers that the situation can be rectified by a combination of policy text amendment and a co-ordinated programme of site provision measures.

Inclusion of pitch and plot targets in policy

2.2 The Gypsy and Traveller Accommodation Assessment has now been produced collaboratively with neighbouring planning authorities. From our perspective it was desirable that this be produced ahead of the East Devon Local Plan (and this was our intention), however the differing timescales and priorities of the partner authorities meant that this was not possible and the seasonal availability of the gypsies and travellers to participate meant that, once commenced, the study period had to be extended to maximise responses. A standalone assessment, covering East Devon only, was not considered appropriate in light of good practice guidance, the cross-boundary travelling patterns and the county-wide methods of recording information.

2.3 At the time of finalising amendments to the Local Plan the Gypsy and Traveller Accommodation Assessment, whilst acceptable to East Devon District Council, had only been agreed in draft by the other partner authorities. Final agreement was, however, reached shortly before public consultation on changes to the East Devon Local Plan commenced and so the GTAA was available for interested parties to comment on as an evidence document. No objections were received in respect of the document or the figures contained within it. By its very nature the study needed to be a strategic piece of work.

2.4 Now that the figures are agreed by the commissioning authorities (and have not attracted objections through the local Plan consultation process) it would seem sensible for pitch targets for gypsies and travellers to be included in the

Local Plan and for reference to be made to the latest GTAA as evidence. It is therefore suggested that the text could be amended from:

Gypsy and Traveller Provision @ 6.168

~~16.29 East Devon has relatively few permanent sites for Gypsies and Travellers and unauthorised sites are occasionally reported but this tends to be a short-term seasonal problem. A Needs Assessment of Gypsies and Travellers in Devon was undertaken in 2006 which established a need for 9 permanent pitches in the period up to 2011. The majority of the pitches identified previously have been accommodated through planning permissions and expansion of existing sites. We are currently undertaking/will commission a study of future housing need in partnership with other Devon Authorities and intend to produce a Gypsy and Traveller Development Plan Document in 2014 to allocate sites (if need is shown), and ensure that a five year land supply is maintained. Development Management policy for gypsy and traveller sites/provision will be used to assess planning applications. A new needs assessment on gypsies and travellers in Devon is expected to be completed in early 2015. Additional pitches and plots will be provided through appropriate intensification/expansion of existing sites and through land allocations in a future Gypsy and Traveller Development Plan Document. Until such a time as the Gypsy and Traveller DPD is finalised, decisions on gypsy and traveller sites will be determined in accordance with national policy and with reference to policy H7.~~

To:

Gypsy and Traveller Provision @ 6.168

16.29 A Gypsy and Traveller Accommodation Assessment has been undertaken in partnership with other Devon authorities. This study has identified a need in East Devon, in the period up to 2034, for a total of 37 gypsy and traveller pitches and 3 plots for travelling showpeople. During the first 5 years, from 2014-2019, at least 22 of the gypsy and traveller pitches should be provided and 1 of the travelling showpeople's plots. The study also identified a need for 4-5 short-term stopping places (each consisting of 4-5 pitches) up to 2019, but did not specify where these should be located. Additional pitches and plots will be provided through appropriate intensification/expansion of existing sites, the provision of a local authority/RSL owned/managed site or sites and through land allocations in a Gypsy and Traveller Development Plan Document, production of which will commence in June 2015. Until such a time as the Gypsy and Traveller DPD is finalised, decisions on gypsy and traveller sites

will be determined in accordance with national policy and with reference to policy H7.

Co-ordinated approach to site provision

2.5 This approach allows for new pitches and plots to be provided in several ways:

- Intensification/expansion of existing sites
- Through a Development Plan Document
- Through provision of a local authority/RSL owned and/or managed site/sites

1. **Intensification/expansion of existing sites** - The study identifies significant need arising within the first five years (up to 2019) from the creation of new family units on existing sites (from existing young people reaching adulthood and forming their own new family units) and from overcrowding of existing sites. Most respondents wished to remain on, or close to, their existing sites but with their own new plots/pitches. With the exception of the 12 pitch site at Hawkchurch which is commercially let on short tenancies, the sites in East Devon are small scale and occupied long-term. All sites are located in the countryside (albeit some are close to built up areas) and could physically accommodate further pitches/plots although the desirability of this would need to be assessed on an individual basis.

Following completion of the previous needs assessment the District Council supported expansion of existing sites to accommodate newly formed families and alleviate overcrowding and a number of new pitches were successfully delivered and integrated well. Given the success of this approach, it is the Council's preferred method of site delivery as it would enable need to be accommodated promptly, where it exists, and ensure that occupiers remain part of the local community. Extensive discussions have taken place with the County Council's Gypsy and Traveller Liaison service, and they agree that this would be an appropriate way, practically and culturally, to accommodate newly formed families and alleviate overcrowding on existing sites. Applications for expansion and/or intensification would be assessed against Policy H7.

2. **A Development Plan Document** allocating sites for gypsies, travellers and travelling showpeople is proposed to be produced over the next 18 months. This follows the approach very recently taken by our neighbours West Dorset District Council where they have identified the level of need in their Local Plan but will allocate sites through a future DPD. The delay between adopting the Local Plan and adopting the DPD will not

disadvantage Gypsies and Travellers because applications will continue to be assessed against development management policies and most of the need arising in the first 5 years, from overcrowding and new family formation, may be met in the short term by expanding/intensifying existing sites.

The intention is that the first stage will be to contact potential interested parties to seek their views on what the Gypsy and Traveller Plan should contain. This is likely to be followed by a 'call for sites' where any interested parties are asked to put forward possible sites for gypsy and traveller accommodation use. As well as letters and email communications we would also issue press notices and promote the call for sites through press releases.

The East Devon New Community partners have indicated their willingness to provide a site/s for 30 new gypsy and traveller pitches as part of the Cranbrook new community expansion. This has been agreed in a Statement of Common Ground with the Council (see Appendix 2). The Statement of Common Ground indicates that the site/s will be brought forward within five years. At this stage the Council cannot change Plan policy to require this provision, so such a site/s could be brought forward through the DPD.

- 3. Public Sector provision** - Notwithstanding the commitment to provide 30 pitches as part of a Cranbrook expansion, the District Council (through Cabinet) has agreed to allocate a budget of £500,000 to enable land for a public sector site/sites to be provided if sufficient other sites do not come forward in the first five years, or in the possible absence of sufficient private sector interest. We recognise our statutory duty under Section 225 of the Housing Act 2004 to review gypsy and traveller housing needs in the district and a general duty to meet the needs identified. There is also a duty to provide housing for homeless gypsies and travellers, subject to tests of priority need, local connection and intentionality (the normal homelessness tests).

Whilst private sites may come forward, and can be identified through the DPD, the scope is there, with authority to implement, for the Council was to acquire and manage one or more sites, potentially through compulsory purchase. If private sector sites do not come forward, or are not delivered in a timely manner or outstanding demand remains or exists, the Council will look to purchase a site to be managed by the District Council or a RSL as part of our affordable housing provision. Sites in the West End are likely to be preferred (as this is where most need arises).

At the present time the District Council has been offered two privately owned sites already in gypsy and traveller use for purchase. Whilst discussions are at an early stage and no assessment of their suitability has been undertaken, both sites have physical capacity for expansion and could theoretically be expanded and operated by the District Council or a RSL.

Council owned sites operate very successfully in South Somerset, with three sites (Tintinhull, 8 pitches; Ilton, 10 pitches; and Pitney Hill, 3 pitches) and in Teignbridge (Haldon Ridge, 15 pitches). For those Gypsies and Travellers who are unable to afford their own site, the pitches on the Councils own land mirror affordable housing provision and are operated by a site manager, employed by the Council.

4. **Planning applications for new sites** will continue to be dealt with as and when they arise. The key policy against which applications will be assessed is H7.

Alternative approach- Inclusion of provision within Local Plan strategic housing allocations

- 2.6 Very few representations were received in relation to gypsy and traveller provision at any stage of consultation, but inclusion of provision in the West End strategic allocations is an approach advocated by Mr Seton on behalf of the Client Group of PCL Planning (representor 3347) in response to the publication draft of the Local Plan. The most recent consultation attracted several similar responses. Bishop's Clyst Parish Council (rep no 635) and Oil Mill Residents Association (740) (both located in the western part of the District, close to Exeter) both considered that gypsy and traveller provision should be a requirement within strategic sites in the West End, so that pitches are provided alongside new houses. This approach is also supported by Devon County Council (rep no 245) (who operate the gypsy liaison service) who state "Delivering sites by requiring them as part of strategic allocations may provide greater certainty of their delivery." This is an approach which is also advocated by our neighbouring authorities of Exeter City Council, Mid Devon and Teignbridge District Councils all of whom have policies to this effect in their Plans.
- 2.7 It is recognised that there is merit in this approach, and the West End of East Devon is particularly suited to such development, being the focus for growth in the District, close proximity to facilities and the opportunity for integration with the settled population from the outset. In addition sites in the West End would comply with the needs assessment advice that new sites should be located close to the main road network. This area is already preferred by gypsies and

travellers, being the regular focus of unauthorised encampments (usually by the same families).

- 2.8 As stated above, The East Devon New Community partners have indicated their willingness to provide 30 pitches on sites within the Cranbrook expansion which would accord with the representors proposals.
- 2.9 As most gypsies and travellers requiring pitches cannot afford to purchase their own, they effectively require affordable housing (a situation parallel to needing 'bricks and mortar' affordable housing) and pitches could have been provided as part of the overall affordable housing provision at the strategic sites. The County Council's Gypsy Liaison Service has indicated that this would be their preferred means to accommodate need beyond expanding existing sites.
- 2.10 Unfortunately, the timing of receipt of the needs assessment was such that this requirement could not be included in the Local Plan and at this stage this could only take place if the Inspector recommended it.

Travelling Showpeople provision

- 2.11 The existing site for travelling showpeople at Clyst St Mary has permission for 9 pitches but, despite being well established over recent years, has only been laid out for 2, meaning that it has capacity to more than quadruple its occupancy. In East Devon, 1 plot is required in the first 5 years, with a further 2 plots required in the remainder of the study period. The GTAA makes it clear that this need will arise from new families formed from existing residents rather than 'incomers' and that no respondents to the survey wished to move away from their current location. It is considered appropriate that these families be accommodated on the 'consented' but as yet unused plots rather than seeking to identify new sites elsewhere. This would still leave approximately half the site for future occupation should a future need arise.

3. The Council intend to produce a Gypsy and Traveller Development Plan Document (DPD) but the National Planning Policy Guidance (NPPF) states that local planning authorities should produce a Local Plan for its area and that any additional DPDs should only be used when clearly justified.

- a) Given that the Local Plan is able to allocate land for housing and employment uses what is the justification for not including pitch targets for gypsies and travellers in the Local Plan?***

3.1 As explained in response to the previous question, at the time of finalising amendments to the Local Plan, the Gypsy and Traveller Accommodation Assessment, whilst acceptable to East Devon District Council, had only been agreed in draft by the other partner authorities. Final agreement was reached shortly before the recent public consultation on changes to the East Devon Local Plan commenced and the GTAA therefore was available for interested parties to comment on as an evidence document. It is suggested in response to the previous question that the text at 16.29 could be amended to refer to pitch and plot targets and the new study as evidence to support them.

b) Does the failure to allocate land for gypsies and travellers and travelling showpeople in the Local Plan contravene the Public Sector Equality Duty?³

3.2 No, there is not a contravention of the Public Sector Equality Duty. Due regard was had to the Duty throughout the plan-making process and gypsies and travellers have not, and will not, be treated unfairly.

3.3 A very recent Court decision (see footnote) found, in summary, that it is discriminatory to delay decision making in respect of gypsies and travellers when planning decisions are reached more quickly for the settled community. This is relevant because, by the end of 2015 we hope to have an adopted Local Plan covering the whole District but the separate DPD allocating sites for gypsies will not be adopted until a year later. Our position is substantially different to that of the legal judgement because, although the DPD will be delayed until around a year after the local plan is adopted, decisions on planning applications will still be reached in a timely manner using the criteria based development management policies of the Local Plan. This will not disadvantage gypsies and travelers - it is actually more favourable to them than site allocations as it is more permissive and does not restrict acceptability to a small number of sites identified through specific allocation. Over the past decade an average of 2 applications for new pitches/renewals of permission have been received from gypsies and travellers per year. It should be noted that some of the refused applications indicated in the table below appear as 'approvals' in subsequent years.

³ In responding to the question the Council and others may wish to refer to the following judgement 'Moore and Coates v Secretary of State for Communities and Local Government [2015] EWHC 44 (Admin)'

Year	No of applications and decision	Total number of applications for gypsy and traveller pitches per year
2015	1 approved (renewal of 2009 consent), 1 under consideration	2
2014	-	0
2013	2 refused	2
2012	-	0
2011	2 approved, 3 refused	5
2010	5 approved	5
2009	2 approved, 1 refused	3
2008	1 refused	1
2007	2 approved	2
2006	-	0

3.4 The Council also proposes to meet the most ‘urgent’ need arising in the first 5 years (from overcrowding and new family formation) through existing site expansion, where appropriate, and this could commence immediately. All sites (with the exception of the site at Hawkchurch) are developed at a density far lower than that suggested in “Planning Policy for Traveller Sites” and, subject to technical considerations and the criteria set out in Policy H7, could potentially be expanded or intensified to accommodate additional pitches.

3.5 Other pitches should come forward in the Cranbrook expansion and, if these and other sites featuring in the DPD, are not delivered in a timely manner, the District Council is prepared to purchase and manage a site itself.

4. *Planning Policy for Traveller Sites requires criteria based policies to be fair and to facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community. Does Policy H7, as proposed to be revised, comply with national guidance?*

4.1 As proposed to be revised (and as consulted on in April to June 2015) Policy H7 will read:

“H7 - Sites for Gypsies and Travellers:

Planning permission for a permanent or transit sites for gypsies and travellers will be granted if the proposal satisfies all of the following requirements:

- 1. It has a satisfactory relationship with other neighbouring land uses.*
- 2. It has acceptable vehicular access and provision for on-site turning, parking and servicing.*

3. *It contains satisfactory proposals for screening and landscaping.*
4. *It has no significant adverse impact on the appearance or character of the landscape or amenity of occupiers of neighbouring properties and any impacts will be mitigated to an acceptable level.*
5. *In respect of proposals outside Built-up Area Boundaries, the local East Devon need has been proven and cannot be met elsewhere in the District.*
6. *Where sites already exist within the locality, new pitches should be accommodated through expansion/ increased use of these existing sites though as smaller sites can be more acceptable, site size restrictions could be applicable to ensure sites do not become too large. Where it is not possible to expand/intensify existing sites, the cumulative impacts of additional sites, particularly on the character of the local area and existing community, will be taken into account in addition to other considerations.*

Permanent sites should be conveniently located for access to existing community services and facilities and within 30 minutes travel time by public transport, walking or cycling of a primary school.”

- 4.2 The Policy is considered to be fair and does strike a balance between facilitating the traditional nomadic way of life of gypsies and travellers and respecting the interests of the settled community. In accordance with Government guidance “Planning policy for traveller sites”, new development is strictly controlled in the countryside and sites will only be permitted where they do not cause adverse local impacts. This policy approach also accommodates the cultural preference of many gypsies and travellers to live in extended family groups, which is met wherever possible through existing site expansion and intensification.
- 4.3 In line with criterion 11 of the Government policy, H7 promotes a peaceful co-existence with settled residents by ensuring that they are of a suitable scale and any impacts are minimised and mitigated. Health and education access are addressed through the last paragraph of the policy which requires sites to be conveniently located for access to services and facilities but does not seek to impose specific distance criteria.

Appendix 1 – Full Response to Question 1 - Supplied by Dr Alan Rust-Ryan, Director, RRR Consultancy

East Devon Local Plan - Devon Partnership GTAA 2015

Introduction

1.1 In April 2014, the Devon Partnership local and national park authorities⁴ commissioned *RRR Consultancy* Ltd to undertake the Devon Partnership Gypsy and Traveller Accommodation Assessment (GTAA). The purpose of the assessment was to quantify the accommodation and housing related support needs of Gypsies and Travellers (including Travelling Showpeople) in terms of residential and transit/emergency sites, and bricks and mortar accommodation for the period 2014/15-2034/35. The 2015 GTAA constitutes important evidence in relation to the East Devon Local Plan. The GTAA calculated that over the period 2014-2034 in East Devon there is a need for an additional 37 Gypsy and Traveller pitches, 3 Travelling Showpeople plots, and 23 bricks and mortar units. The remainder of this document responds to the question: “Are the Assessment’s findings and targets soundly based?” It examines the range of evidence used to determine accommodation needs, the model on which the calculations are based, and the resulting needs figures in relation to East Devon. It shows that the accommodation needs figures are based on robust and reliable evidence and are, as such, soundly based.

The 2015 GTAA follows good practice

1.2 CLG guidance (March 2012) on planning policy for traveller sites does not provide specific guidance on undertaking GTAAs (although it does emphasise the necessity of ensuring that they are based on robust evidence and consultation with Gypsies and Travellers). Nonetheless, the 2015 Devon Partnership GTAA is based on good practice derived from previous GTAAs including:

- Consulting directly with Gypsy and Traveller families
- Ensuring a good sample is determined from G&T families
- Using questionnaires designed to determine the needs of G&T families living in different types of accommodations
- Using a wide range of different quantitative and qualitative evidence to help determine accommodation need
- Involving neighbouring authorities in the consultation process to gain a broader understanding of the needs of G&Ts

⁴ Dartmoor National Park Authority, Exmoor National Park Authority, East Devon District Council, Exeter City Council, Mid Devon District Council, North Devon Council, Teignbridge District Council, Torbay Council and Torridge District Council.

- Analysing unauthorised encampment data to help map G&T movements throughout the study area

1.3 The 2015 GTAA incorporated all the above leading to increased robustness and reliability of findings. The GTAA also incorporated a range of quantitative and qualitative data including a literature review, analysis of secondary data, consultation with key stakeholders (including a focus group and interviews), and consultation with the Gypsy and Traveller community (through an accommodation needs survey).

Extensive analysis of secondary data

1.4 Although the GTAA findings are based on extensive primary data in the form of surveys, interviews and a focus group, extensive analysis of secondary data was undertaken. This included the determination of existing Gypsy, Traveller and Showpeople sites within the study area; analysis of CLG Caravan Count data at national, regional and local levels; and analysis of unauthorised encampments. Importantly, acknowledging the limitations of CLG data, whilst secondary data was used to determine general trends in the population of Gypsies and Travellers, it was not used to determine accommodation needs (this was based on surveys undertaken with Gypsy and Traveller families). However, analysis of unauthorised encampment data was used to help determine the need for transit provision.

Consultation with the Gypsy and Traveller community

1.5 One of the key requirements of CLG guidance (March 2012) is that GTAAs are based on consultation with Gypsies and Travellers. Between September and November 2014 interviews were undertaken with 132 households living on sites throughout the study area including 100 households living on authorised sites, 15 on unauthorised encampments, 14 on unauthorised developments, and 3 on sites with temporary planning permission. Specifically in relation to East Devon, interviews were undertaken with 17 households living authorised sites, 5 on unauthorised encampments, and 2 on unauthorised developments.

1.6 The survey response rate in relation to households residing on authorised sites in East Devon was slightly lower compared with the study area average at 47% compared to around 66%. This is because a site owner refused access to a private site containing 12 pitches as some families had been harassed by the media and were suffering 'survey fatigue'. As such, he decided that no further interviewers would be allowed on site. The licensing status of the site is currently being reviewed. A caveat was placed in the 2015 GTAA stating that a change from a Gypsy and Traveller site to a general caravan site would impact on East Devon's base figures (a reduction from 36 to 24 pitches). This would subsequently impact on current and future accommodation needs figures from 37 to 30 additional pitches for the period 2014-2034.

1.7 The 2015 GTAA survey was extensive and included questions on:

- Accommodation and housing: current type, tenure and size; preferred location, size and facilities/services (including business facilities) on site to meet needs; site management issues; accommodation aspirations including type (sites and bricks and mortar accommodation), location and size; reasons for moving or staying; the transfer to bricks and mortar accommodation and how it can be improved; barriers to transferring between sites; affordability; applications to transfer lists and to homelessness and housing registers; and housing support needs
- Travelling patterns: geographical locations of recent homes; past tenures and accommodation history; reasons for moving to sub-region and anticipated length of stay; future location
- Demography: family composition; ethnic background (self-defined); migration and travelling patterns within and outside sub-region; connections to an area and reasons for living there; length and intentions for site occupancy
- Employment: type of work and location; typical work in the sub-region and seasonal / geographical variations; expectations for children's employment; take-up and awareness of benefits
- Health issues: access and barrier to health services; disability need for aids and equipment; use of dentists, GPs and A&E departments; management of long-term conditions
- Newly forming households: composition; preferred living location and tenure; approximate date of formation (over a five year period)
- Overcrowding and under-occupation on sites and in bricks and mortar accommodation
- Availability and affordability of land for private sites; type of help needed obtaining planning permission
- Condition of accommodation: existing and required facilities (private and shared); physical adaptations needed; extent and nature of housing related support; involvement in site design
- Council services and local facilities: take-up and attitudes towards; accessibility, barriers to usage and how these can be overcome; relationship with business community
- Levels of car and vehicle ownership; condition of working vehicles and necessary repairs

1.8 These provided a wide range of data for helping to determine accommodation needs.

Consultation with key stakeholders

1.9 As well as undertaking consultation with the Gypsy and Traveller community, as part of the GTAA extensive consultation was undertaken with key stakeholders. This included undertaking a focus group in October 2014 with stakeholders and representatives from the study area local authorities and neighbouring local authorities including: District council officers with responsibility for Gypsy and Traveller issues; planning policy officers; planning officers; housing strategy officers; and enforcement officers. The focus group enabled the gleaning of important qualitative information which complemented the quantitative information

gleaned by the Gypsy and Traveller surveys. The themes of the focus group included the need for additional provisions and facilities; travelling patterns; the availability of land; accessing services; and work taking place to meet the needs of Gypsies and Travellers.

1.10 Stakeholders not able to attend the focus group were invited by the GTAA coordinator to submit written evidence. Also, recognising that the Localism Act 2011 places a legal duty on local planning authorities to engage constructively on cross boundary matters, telephone interviews were undertaken with 3 Gypsy and Traveller Liaison Officers, 1 Housing Officer, and 3 Planning Officers from neighbouring authorities. The interviews helped determine the extent to which cross-border working regarding Gypsy and Traveller issues already takes place, and to determine which issues e.g. unauthorised encampments may impact across different local authority areas. Chapter 3 of the 2015 Devon Partnership GTAA also contains a section on the results of GTAAs undertaken by neighbouring local authorities.

Accommodation needs model

1.11 The accommodation needs model used by the 2015 Devon Partnership GTAA is based on the example given in the CLG (2007) Guidance. According to the CLG (2007) it is important to be able to identify both current and future accommodation needs of the Gypsy and Traveller communities by use of local data. In relation to current need data collected through the Accommodation Needs Assessment process should enable the local authority or partnership to derive overall figures by which to identify accurately the current levels of Gypsy and Traveller households and the accommodation needs existing in that area. The CLG (2007) guidance also provides an example of how accommodation need could be calculated:

a. Current residential supply =

- current supply of occupied local authority residential site pitches in local authority/partnership area *plus*
- current supply of occupied authorised privately owned site pitches in local authority area/partnership area *plus*
- number of unused local authority pitches, and vacancies on privately owned sites available in local authority/partnership area *plus*
- number of existing pitches expected to become vacant in near future (local authority and privately owned) *plus*
- number of households in site accommodation expressing a desire to live in housing *plus*
- existing applications for private site development/extension likely to gain planning permission during year 1

b. Current residential demand =

households:

- seeking permanent site accommodation in the area
- on unauthorised encampments *plus*
- on unauthorised developments for which planning permission is not expected

- currently overcrowded *plus*
- new households expected to arrive from elsewhere *plus*
- i. new family formations expected to arise from within existing households *plus*
- ii. in housing but with a need for site accommodation *plus*
- iii. new family formation in future periods

Current shortfall = current residential demand *less* current residential supply

1.12 The differences between the CLG (2007) model and the one adopted for the Devon Partnership 2015 GTAA are:

- The 2015 GTAA considers potential pitches which have been granted planning permission but not yet developed as potential supply over the first five year period (2014-2019) (Step 6)
- The 2015 GTAA includes the additional supply generated by movement within the stock (Step 7). This step, although not included in the CLG model, allows for the fact that movement of families from pitches onto different pitches not only generates demand/need but also supply.

1.13 The remainder of this section describes the calculations used to determine Gypsy and Traveller accommodation needs in East Devon (Tables A1 and A2 in the Appendix show East Devon's needs figures in tabular form).

Steps of the accommodation needs model in relation to East Devon

Supply of pitches 2014-2019

Step 1: Current permanent residential site pitches

1.14 Based on information provided by the local authority and corroborated by information from site surveys, at the time of the GTAA there were 36 authorised Gypsy and Traveller pitches in East Devon. These pitches are owned by the local authority and privately. It does not include: pitches with transit status; pitches with temporary planning permission; vacant pitches; unauthorised developments; or pitches occupied by individuals or families not identified as being from the Gypsy and Traveller community. However, as noted above, the licensing status of a site containing 12 pitches in East Devon is currently being reviewed.

1.15 Similarly, pitches with planning permission for Gypsies and Travellers but occupied by non-Gypsy and Travellers are not included in the supply as they are not available for members of the Gypsy and Traveller communities. Whilst it is acknowledged that such pitches are fulfilling the accommodation needs of the settled community, it cannot be determined if and when they would become available to members of the Gypsy and Traveller community.

Step 2: Number of unused residential pitches available

- 1.16 According to the survey data there were no vacant pitches on authorised sites in East Devon. These are pitches which exist but confirmed as not currently occupied or used by any Gypsy or Traveller family.

Step 3: Number of existing pitches expected to become vacant, 2014-2019

- 1.17 This is calculated using mortality rates as applied in conventional Housing Needs Assessments. However, the figures for mortality have been increased in accordance with studies of Gypsy and Traveller communities suggesting a life expectancy approximately 10 years lower than that of the general population. A mortality rate of 2.83% applied to 36 pitches leads to supply of 1 pitch from mortality in East Devon.

Step 4: Number of family units in site accommodation expressing a desire to leave the study area

- 1.18 This was determined by survey data. It was assumed, given that development of sites is likely to occur in the areas surrounding the study areas as well as in the planning area itself, that those currently living on sites expecting to leave the area permanently in the next five years – out of choice (step 9) or due to overcrowding (step 12) would generally be able to do so. In total, given the low level of interest in leaving the study area, this resulted in the supply of 0.5 pitches.

Step 5: Number of family units in site accommodation expressing a desire to live in housing

- 1.19 This was determined by survey data. It was assumed that all those currently living on sites planning to move into housing in the next five years (step 5), or preferring to move into housing from an overcrowded pitch (step 12), would be able to do so. This excluded those planning to move due to site management issues, since it was assumed that these could be resolved in response to the findings of this study. A supply of 0 pitches was expected from this source.

Step 6: Residential pitches planned to be built or brought back into use, 2014-2019

- 1.20 This is determined by local authority data and confirmed by site visits. There were 6 new pitches planned to be built or brought back into use in East Devon during the period 2014-2019. These are pitches which have planning permission, but at the time of the survey and completion of the report were not developed to a standard that they could be occupied, but were expected to be developed and occupied before 2019.

Step 7: Additional supply generated by movement within the stock

- 1.21 This figure, although not included in the CLG model, allows for the fact that movement of families from pitches onto different pitches (steps 9 and 12) not only generates demand/need

but also supply. Pitches vacated by moves out of the study area or into housing are excluded, since these are already counted in steps 4 and 5 above. This generates a total supply of 3.0 pitches in East Devon.

Step 8: Pitches with temporary planning permission

1.22 This is determined by local authority data. It is assumed families living on pitches whose planning permission expires within the period 2014-2019 will still require accommodation within the study area. During 2015 GTAA period there were no pitches with temporary planning permission located in East Devon. Pitches with temporary permission cannot be included as part of supply as they do not permanently meet the needs of families.

Need for pitches 2014-2019

Step 9: Family units on pitches seeking residential pitches in the study area 2014-2019

1.23 This was determined by survey data. The guidance suggests that those moving from pitch to pitch should be included in the need section. The supply also generated by this is taken into account in step 7. These family units reported that they 'needed or were likely' to move to a different home in the next five years, and wanted to stay on an authorised site, or that they were currently seeking accommodation.

1.24 This category of need overlaps with those moving due to overcrowding, counted in step 12, and so any family units which are both overcrowded and seeking accommodation are deducted from this total. This generates a total need of 3.0 pitches in East Devon.

Step 10: Family units on unauthorised encampments seeking residential pitches in the area

1.25 Guidance (CLG 2007) indicates that it should be considered whether alternative accommodation is required for families living on unauthorised encampments. This practice is also adopted by other GTAAs. Using survey data, (5 surveys undertaken with 5 different households residing on unauthorised encampments in East Devon) it was calculated how many families on unauthorised encampments (including long term ones tolerated by councils) want residential pitches in the study area. They generate a need for 2.0 residential pitches (please note that only Gypsies and Travellers requiring permanent accommodation within East Devon area have been included in this calculation – transiting Gypsies and Travellers are included in separate calculations).

Step 11: Family units on unauthorised developments seeking residential pitches in the area

1.26 This was determined by survey data. The guidance also indicates that the accommodation needs of families living on unauthorised developments for which planning permission is not expected must be considered. Regularising families living on their land without planning permission would reduce the overall level of need by the number of pitches given planning permission. A need of 2.0 pitches arose from unauthorised developments in East Devon.

Step 12: Family units on overcrowded pitches seeking residential pitches in the area

1.27 This was determined by comparing survey data to the bedroom standard. The bedroom standard is that used by the General Household Survey to determine the number of bedrooms required by families. For this study, a modified version of the bedroom standard was applied to Gypsies and Travellers living on sites to take into account that caravans or mobile homes may contain both bedroom and living spaces used for sleeping. The number of spaces for each accommodation unit is divided by two to provide an equivalent number of bedrooms. Accommodation needs were then determined by comparing the number (and age) of family members with the number of bedroom spaces available. The proportion of family units currently overcrowded on pitches seeking residential pitches in the study area was determined by the survey to be 9.74%. This led to a need in East Devon for 3.5 additional pitches.

Step 13: New family units expected to arrive from elsewhere

1.28 In the absence of any data derivable from secondary sources on the moving intentions of those outside East Devon, it is assumed that the inflow of Gypsies and Travellers into the area will be equivalent to the outflow. In addition, inflow equivalent to the outflow of newly forming family units must be considered. Together, these amount to an inflow of 0.5 family units.

Step 14: New family formations expected to arise from within existing family units on sites

1.29 This was determined by survey data. The number of individuals needing to leave pitches to create new family units was estimated from survey data. Respondents were asked if their household contained any people who may require separate accommodation within the next 5 years. They were also asked when within the next 5 years future households would require separate accommodation. These questions helped determine the extent of future accommodation needs deriving from existing households. The demand for future accommodation was then compared with each household's current accommodation provision to determine if future need existed. There is a need for 10.3 pitches between 2014-2019 arising from future need in East Devon.

Step 15: Family units in housing with a psychological aversion to housed accommodation

- 1.30 CLG (2007) acknowledges that some Gypsy and Traveller families may be residing in unsuitable bricks and mortar accommodation. Unsuitability could be due to 'psychological aversion' to residing in bricks and mortar accommodation. Typical symptoms of psychological aversion include: feelings of depression, stress, sensory deprivation, feeling trapped, feeling cut off from social contact, a sense of dislocation with the past, feelings of claustrophobia. Importantly, whilst the accommodation needs of e.g. overcrowded families residing in bricks and mortar accommodation may be met by moving to a larger property, it is recognised that families experiencing 'psychological aversion will require pitch provision.
- 1.31 There are two steps involved in determining the number of households living in bricks and mortar accommodation with a psychological aversion to housed accommodation. The first is to determine the number of Gypsy and Traveller families residing in bricks and mortar accommodation. Unlike data regarding the number of authorised sites across the study area (which are identified through planning records and corroborated by the survey), no such data exists to that enable the determination of Gypsy and Traveller families residing in bricks and mortar accommodation. According to Shelter (2008) up to two-thirds of the Gypsy and Traveller population are currently in bricks and mortar accommodation. As such, it was determined that a ratio of 2:1 was used to determine the number of Gypsy and Traveller families living in bricks and mortar accommodation. As East Devon contains 36 authorised pitches it was estimated that 72 Gypsy and Traveller households reside in the local authority area.
- 1.32 The second step is to determine the proportion of households in housing with a psychological aversion to housed accommodation. Usually, this would be determined by undertaking a survey with households living in bricks and mortar accommodation. However, no households were identified by local authorities or agencies, or by Gypsy and Traveller families residing on sites. This was because either they could not be identified or because the contact details of relevant families could not be released due to data protection issues (the latter was not the case in relation to East Devon). Previous GTAs undertaken by *RRR Consultancy Ltd* found that between 10%-20% of families residing in bricks and mortar accommodation had a psychological aversion to doing so. As such, it was decided to use an average proportion of 15% of families living in bricks and mortar accommodation with a psychological aversion. In relation to East Devon this leads to a need of 10.8 pitches.

Accommodation needs calculation for East Devon 2014-2019

- 1.33 Following a model based on CLG (2007) guidance, and a determination of accommodation need and supply using a combination of local authority data and surveys with Gypsy and Traveller families, leads to an estimated requirement of 22 additional pitches across East Devon for the period 2014-2019.

Future need 2019-2034

- 1.34 The CLG (2007) acknowledges that accurate projections of future needs are likely to be more difficult. Current levels of satisfaction with existing accommodation will provide some indication of whether households are likely to stay in that accommodation. Analysis of changing demand (which may be expressed through unauthorised sites, or low demand for authorised sites) could provide further information.
- 1.35 The 2015 Devon Partnership GTAA calculations based on survey data and considered a range of factors such as the number of existing families with children, the average number of children per family, and marriage rates. The calculations suggested that an average annual family growth rate of 1.94% (equating to 10.1% over a five year) for the period 2019-2024 was appropriate. These rates are likely to continue for the periods 2024-2029 and 2029-2034. In relation to East Devon, this equates to a need for an additional 15 pitches between 2019-2034.

Calculating the need for transit sites

- 1.36 The need for transit sites was discussed in Chapter 4 of the 2015 Devon Partnership GTAA as determination was based on analysis of secondary data provided by the participating authorities. Data on unauthorised encampments was collected inconsistently across the local authorities. Devon County Council and some Devon Partnership local authorities (Exeter City Council, North Devon Council, Torbay Council and Torridge District Council) keep detailed records of unauthorised encampments (East Devon have now formalised a recording system for unauthorised encampments). Although limited, there was sufficient data on unauthorised encampments to provide some analysis.
- 1.37 The analysis showed that between January 2011 and September 2014 there were 145 instances of unauthorised encampments within the study area. This included 6 instances of unauthorised encampments occurring in East Devon (recorded by Devon County Council). Most unauthorised encampments were recorded in North Devon, Torbay, Torridge and Exeter. Over two thirds (69%) of all unauthorised encampments recorded between January 2011 and September 2014 occurred on only four locations: Seven Brethren (a 'tolerated' unauthorised encampment site in North Devon), Cattle Market, Bideford, Churston Common, Brixham, and Clennon Valley Leisure Centre, Paignton.
- 1.38 Reflecting the limited data on unauthorised encampments combined with qualitative data (including feedback from the GTAA Partnership authorities), it was determined that there was a need for 4-5 transit sites consisting of 4-5 pitches throughout the study area. The actual locations should reflect where unauthorised encampments are most likely to occur although it is recommended that actual locations are agreed by the Partnership local authorities. A recommendation of the 2015 GTAA was that authorities across the study area use consistent

methods in recording incidences of unauthorised encampments. This will help better determine the need for future transit provision.

Requirement for housing 2014-2034

- 1.39 The calculations for determining the additional need for bricks and mortar accommodation were based on an 11-step process similar to that undertaken to determine the need for pitches. As noted above, it was determined that a ratio of 2:1 was used to determine the number of Gypsy and Traveller families living in bricks and mortar accommodation. As East Devon contains 36 authorised pitches it was estimated that 72 Gypsy and Traveller households reside in the local authority area. However, as no interviews were undertaken with households residing in bricks and mortar accommodation only some steps of the accommodation needs calculation process could be undertaken i.e. estimate of current provision, number of dwellings likely to be vacated due to mortality, newly forming households, and population growth. In relation to East Devon this equates to an additional need of 23 additional bricks and mortar accommodation units over the period 2014-2034. It is likely that this need will be met by existing private and social housing stock.

Traveling Showpeople

- 1.40 The 2015 Devon Partnership GTAA considered the accommodation needs of Travelling Showpeople. Unlike Gypsies and Travellers, Travelling Showpeople are not considered to be an ethnic minority and, as such, are not protected by the Equality Act 2010. Nonetheless, government guidance (CLG 2012) indicates that local authorities should consider the accommodation needs of Travelling Showpeople families. Similar to Gypsies and Travellers, the accommodation needs of Travelling Showpeople was determined combining primary data gathered by means of a survey with a 15-step calculation process as described above. The surveys used to determine the accommodation needs of Travelling Showpeople was similar to that used for Gypsies and Travellers with slight differences e.g. considering the need for larger storage space for equipment etc.
- 1.41 During the survey interviews (November 2014) was one Travelling Showpeople yard in East Devon located at Clyst St Mary. The yard was occupied by one extended family. Planning permission had been granted for 9 plots although at the time of interviews (November 2014) only 2 plots were developed and occupied. The additional one plot required for the period 2014-2019 is due to a newly forming household, whilst the need for two additional plots for the period 2019-2034 is due to population growth.

Summary

1.42 The above shows that the 2015 Devon Partnership GTAA is based on robust and reliable evidence. The GTAA methodology was based on previous guidance and good practice. It incorporated a wide range of qualitative and quantitative methods including a literature review, discussion of key national and local policies, analysis of secondary data, a focus group, and interviews with key stakeholders. Importantly, the accommodation needs figures were based on extensive consultation via a survey with Gypsy, Traveller, and Showpeople families. Also, the model used to determine accommodation needs was based on CLG (2007) guidance. Given the above, it can be stated with confidence that the findings and targets of the 2015 Devon Partnership GTAA are soundly based.

Appendix 1: East Devon District breakdown

Table A.1: Five year estimate of the need for permanent/residential site pitches (2014-2019) (East Devon District Council)	
1) Current occupied permanent / residential site pitches	36.0
<i>Current residential supply</i>	
2) Number of unused residential pitches available	0.0
3) Number of existing pitches expected to become vacant through mortality 2014-2019	1.0
4) Number of family units on sites expected to leave the area in the next 5 years	0.5
5) Number of family units on sites expected to move into housing in the next 5 years	0.0
6) Residential pitches planned to be built or to be brought back into use 2014-2019	6.0
7) Additional supply generated by movement within the stock	3.0
8) Less pitches with temporary planning permission	0.0
Total Supply	10.5
<i>Current residential need: Pitches</i>	
9) Family units (on pitches) seeking residential pitches in the area, 2014-2019, excluding those already counted as moving due to overcrowding in step 12	3.0
10) Family units on unauthorised encampments requiring residential pitches in the area	2.0
11) Family units on unauthorised developments requiring residential pitches in the area	2.0
12) Family units currently overcrowded on pitches seeking residential pitches in the area, excluding those containing an emerging family unit	3.5
13) New family units expected to arrive from elsewhere	0.5
14) New family formations expected to arise from within existing family units on sites	10.3
Total Need	21.3
<i>Current residential need: Housing</i>	
15) Family units in housing but with a psychological aversion to housed accommodation	10.8
Total Need	32.1
<i>Balance of Need and Supply</i>	
Total Need	32.1
Less total supply	10.5
Total Additional Pitch Requirement	21.6 → 22
Annualised Additional Pitch Requirement	4.3

Source: Devon Partnership GTAA 2015

Table A2: Twenty year summary (2014 – 2034) (East Devon)							
	Base Numbers 2014	Additional need 2014- 2019	Additional need 2019- 2024	Additional need 2024- 2029	Additional need 2029- 2034	Additional need 2014- 2034	Numbers as at 2034
Residential pitches	36	22	5	5	5	37 (1.8)	73
Bricks and Mortar	72	5	6	6	6	23 (1.2)	95

Source: Devon Partnership GTAA 2015

APPENDIX 2- Extracts from Statement of Common Ground between East Devon District Council and East Devon New Community partners

Signed frontsheet

EDDC and EDNCp

*Statement of Common Ground:
Development at Cranbrook (Strategy 12)*

Common Ground agreed between:

East Devon District Council

East Devon New Community partners

Signed by:

Signed by:



STEPHEN LEAD (Liberal,
Licencing + Democratic Reform)

(Partner)

On behalf of David Lock
Associates Ltd

Dated: 19 June 2018

Dated: 17 June 2015

Para 3.35 commitment to provide Gypsy and Traveller provision

EDDC and EDNCp

Statement of Common Ground: Development at Cranbrook (Strategy 12)

3.29 EDNCp and EDDC continue to work closely with DCC and Highways England on these issues. Should a proposal come forward following more detailed feasibility study then EDNCp would agree (subject to final confirmation) to reserve a site within the master plan for the eastern expansion of Cranbrook for a second rail station.

Flooding and Drainage Issues

3.30 While the need for additional modelling is being addressed it is agreed that built development would not take place within the floodplain, other than essential infrastructure.

3.31 It is further agreed that there are very limited areas subject to flood risk in the west and south west expansion applications (almost none in the south west) and as such areas at risk of flooding do not present a significant constraint to the master plan process.

3.32 To the east there are more extensive areas at risk of flooding albeit that their extent is generally well understood (having regard to the EA flood mapping and the application documentation). The areas likely to be at risk of flooding do not constrain the ability to deliver the capacity of the eastern expansion area as set out in policy Strategy 12.

3.33 South West Water has confirmed that there are no foul water issues relating to expansion.

Other Master Plan Issues

3.34 The consultation responses on the applications, and in one area the Inspectors outstanding questions, have raised a number of issues to be addressed in the refinement of the application proposals for the expansion area.

3.35 To address a deficiency in the submitted Local Plan, EDNCp have agreed to include a site or sites suitable for 30 gypsy pitches within the expanded area of Cranbrook. EDNCp agree to make available one or more sites to EDDC within the expansion area within five years.

3.36 Other issues raised during consultation include among other issues the following:

- number and distribution of primary schools;
- opportunity to create a more focussed provision of sports facilities around a centralised hub;