
Gypsy, Roma and Traveller Site Assessment

March 2022



Elmbridge
Borough Council
... bridging the communities ...



Contents

Introduction..... 3
Policy Framework 4
Establishing Need..... 8
Providing Pitches..... 13
Conclusion..... 15

1. Introduction

- 1.1 In line with National Government Planning policy for traveller sites (PPTS) (2015), the purpose of this document is to set out how the accommodation needs of Gypsy, Roma and Travellers will be met within Elmbridge Borough as part of the preparation of the new Local Plan (2037). It sets out the identified need and the council's approach to pitch provision based on the recommendations suggested in the most recent [Gypsy and Traveller accommodation assessment 2020](#).
- 1.2 The results of this study will inform the development of relevant policies in the emerging Local Plan which will guide the consideration of future planning applications for Gypsy, Roma and Traveller pitches.

2. Policy Framework

Planning policy for traveller sites

- 2.1 National planning policy for traveller sites is contained within [Planning policy for traveller sites \(PPTS\)](#), which was updated in 2015. There are two main changes to national policy, which relate to plan-making: revised definitions (Annex 1) of Gypsies and Travellers; and a new paragraph (Annex 1 – paragraph 2). These changes are set out below.

New planning definitions of Gypsies and Travellers

- 2.2 The revised 2015 national policy has changed the definition of Gypsies and Travellers. The original 2012 version included Gypsies and Travellers who had ceased travelling permanently. The revised 2015 definitions now exclude those people who have ceased to travel permanently.
- 2.3 A new paragraph (2) has been inserted into Annex 1 of the ‘Planning policy for traveller sites’ for Gypsy and Traveller sites only, as set out below:

‘In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) whether they previously led a nomadic habit of life*
- b) the reasons for ceasing their nomadic habit of life*
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.’*

(Planning policy for traveller sites, CLG, August 2015)

- 2.4 There is no guidance provided by Government on the definition of living a ‘nomadic habit of life’ or the suitable ‘reasons for ceasing a nomadic habit of life’. It will be up to local authorities to establish which pitches / sites have people living a nomadic life and what reasons the occupiers of each pitch / site may have for ceasing to travel. This information should be collated during the needs assessment to establish the criteria set out above. This information needs to be collected for each household, i.e. for each pitch.

National planning policy – plan-making for Gypsy and Traveller sites

2.5 Planning policy for travellers allows for ‘travelling’ Gypsy, Roma and Traveller households to be located within rural areas and the countryside, as well as in urban areas. However, in Elmbridge there is no land that is considered rural or countryside. It is either urban land or Green Belt land. The policy states that,

‘Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances’ (Para 16)

In addition to this,

‘Green Belt boundaries should be altered only in exceptional circumstances. If a local planning authority wishes to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan making process and not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only.’ (Para 17, PPTS, August 2015).

2.6 National policy identifies three key criteria for identifying appropriate sites for delivery through the planning system. To be deliverable within five years, or developable within years 6-15, sites should:

- Be suitable – the site should be in a suitable location for development.
- Be available – the site should be available now or there should be a reasonable prospect that the site is available at the point envisaged;
and
- Be achievable – there is a realistic or reasonable prospect that a site could be viably developed at the point envisaged.

2.7 Local planning authorities should identify sufficient deliverable sites to provide five years’ worth of sites against their locally set targets. For years 6-10 and, where possible, for years 11-15, they should identify a supply of specific developable sites or broad locations for growth.

- 2.8 National policy recommends that criteria-based policies should be developed irrespective of whether need is identified or not. If need is identified the policy should be used to guide the allocation of land, while if there is no identified need the policy should provide a basis for determining planning applications which may nevertheless come forward.
- 2.9 Planning policy for traveller sites identifies a series of issues for the criteria to address to ensure that traveller sites are sustainable economically, socially and environmentally. Specific policies set out the national approach towards sites in rural areas and the countryside (Policy C), rural exception sites (Policy D), mixed planning use sites (Policy F), major development projects (Policy G) and determining planning applications (Policy H).

Planning policy - 'Non-Traveling' Gypsy, Roma and Traveller sites

- 2.10 The needs of Gypsy, Roma and Traveller households who do not meet the new 'planning' definition of a Traveller will need to be assessed separately from 'travelling' Gypsy and Traveller households. In terms of spatial strategy, 'Non-Traveling' caravan sites should be located within the same locations as housing for the settled community, i.e. within the development boundaries of sustainable settlements identified within an adopted Local Plan.
- 2.11 Whilst households who do not travel fall outside the new planning definition of a Gypsy and Traveller: Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a cultural need and right to a caravan site under the [Equalities Act \(2010\)](#). Also, the [Housing and Planning Act \(2016\)](#) now includes a duty for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed.
- 2.12 The identification of 'Non-Traveller' caravan pitches and/or sites should be included within a housing land sub-category, along with other specialist groups such as student accommodation and older people accommodation, of the Land Availability Assessment (LAA).

Planning policy - 'Unknown' travelling status and needs¹

¹ The GTAA 2020 refer to 'unknown' travellers as 'undetermined'. These terms mean that is unknown whether these travellers travel as they have not provided any information.

- 2.13 There is no guidance from Government on how unknown household needs should be planned for. These Gypsy, Roma and Traveller households do still need to be recognised as they are ethnic Gypsies and Travellers and may meet the new definition. The GTAA has calculated a need for households with an 'unknown' travelling status.
- 2.14 All existing Gypsy, Roma and Traveller pitches with an 'unknown' travelling status have been assessed and will inform future planning applications that come forward on these sites. For any decision to be made on these sites, it will be reliant on the applicant to prove the residents meet the 'traveller' definition of the revised national 'Planning policy for traveller sites'.

Other relevant guidance

- 2.15 Other relevant considerations which should be considered include:
- National policy set out within the [National Planning Policy Framework \(NPPF\)](#); and
 - Communities and Local Government (CLG) [Best Practice Guidance: Designing Gypsy and Traveller Sites \(2008\)](#). This guidance was cancelled by Government in August 2015. However, this document was not planning policy and for guidance purposes only. Therefore, is still useful for guiding the design of Gypsy and Traveller sites.

3. Establishing Need

Introduction

- 3.1 The Government's Planning policy for traveller sites (PPTS, 2015) states that its overarching aim is "to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community" (paragraph 3).
- 3.2 PPTS sets out the way in which the site needs of Gypsies, Travellers and Travelling Showpeople are planned for, including a system of locally generated targets. Under this, local planning authorities are required to:
- Use a robust evidence base to establish accommodation needs;
 - Set pitch and plot targets to address the likely residential and transit site accommodation needs of Travellers in their area;
 - Identify and update annually a supply of specific deliverable sites to provide five years' worth of sites against locally set targets;
 - Identify a supply of specific developable sites or broad locations for years six to ten and where possible for years 11-15; and
 - Set criteria-based policies to meet identified need and/ or provide a basis for decisions in case applications nevertheless come forward.
- 3.3 The council commissioned Opinion Research Services (ORS) to update the Elmbridge Borough Council Gypsy and Traveller Accommodation Assessment (GTAA) in 2020. The objective of the assessment being to quantify the number of Gypsy and Traveller pitches and Travelling Showpeople plots to meet identified needs to 2036. The assessment provides evidence to address the first two requirements of the PPTS set out above. The GTAA splits the travelling status of households into 3 categories, as set out below:
- 'Travelling' Gypsy and Traveller households;
 - 'Undetermined' Gypsy and Traveller households; and
 - 'Non-travelling' Gypsy and Traveller households.
- 3.4 In Elmbridge, there is a need for 'travelling' residential Gypsy and Traveller pitches. Residential sites provide residents with a permanent home, which residents will travel from (and to) or for when they have ceased to travel due to education, health or may have older residents who can no longer travel.

The sites can be privately owned, publicly rented for affordable pitches, or privately rented to other Gypsies and Travellers.

- 3.5 The amount of on-site facilities varies mainly between public and private sites. Public sites will generally have amenity blocks and sometimes play areas and communal spaces. Private site facilities vary enormously depending on the specific and individual requirements of the residents.
- 3.6 The 2020 GTAA sought to understand the accommodation needs of the Gypsy, Traveller and Travelling Showpeople population in Elmbridge through a combination of desk- based research, stakeholder interviews and engagement with members of the Travelling community. A total of 29 interviews were completed with Gypsies and Travellers living on sites in Elmbridge and a total of 11 stakeholder interviews. It was not possible to complete any interviews with households living in bricks and mortar.

Need for 'travelling' Gypsies and Traveller pitches

- 3.7 Based upon the evidence presented in the 2020 GTAA, the estimated additional pitch provision needed to 2036 for Gypsies and Travellers in Elmbridge who met the new definition of a Traveller is for 18² additional pitches. This is made up of:
- 8 unauthorised pitches;
 - 2 concealed or doubled-up households or single adults;
 - 3 teenagers in need of a pitch of their own in the next 5 years; and
 - 6 from new household formation, derived from the household demographics.
- 3.8 Since the 2020 GTAA was published, permission was granted for 8 pitches at Pleasant Place, Hersham. This changes the figure below to 10 additional pitches (see Table 1).

² There is supply in the first 5-years from 1 vacant pitch on the public site that is currently not available for occupation but can be brought back into use. This has been taken off 1 pitch from the 19 pitches detailed in the bullet point list.

Table 1: Need for 'travelling' Gypsies and Traveller pitches

Timeframe/ Source	Years 0-5 2020-25	Years 6-10 2025-30	Years 11-15 2030-35	Year 16 2036	Total
GTAA 2020	12	0	3	3	18
Updated need 2022	4	0	3	3	10

Need for 'undetermined' Gypsies and Travellers

3.9 There is a potential need for up to 1 pitch for undetermined households. This is made up of new household formation of 1 from 1 household (using the ORS national formation rate of 1.50%). If the ORS national average of 30% were applied this could result in a need for no pitches. If the locally derived proportion of households that met the planning definition (46%) were applied this could also result in a need for no pitches.

Needs for 'Non travelling' households

3.10 Based on the evidence in the GTAA 2020, it is considered that many of the borough's travellers that do not meet the planning definition, but they do identify themselves as Irish and Romany Gypsies. It is therefore important that the council should meet their housing needs through culturally appropriate housing.

3.11 There is a need for 9 gross pitches for households that did not meet the planning definition. This is made up of:

- 4 concealed or doubled-up households or single adults;
- 4 teenagers in need of a pitch of their own in the next 5 years; and
- 3 from new household formation, derived from the household demographics.

3.12 There is also supply from 2 pitches that are due to be vacated by households actively seeking to move to bricks and mortar in Elmbridge. The net need is therefore identified in the GTAA as 7 pitches.

3.13 Since the 2020 GTAA, Surrey County Council have confirmed that 2

additional pitches will be made available at the public site (the Oaks, Woodstock Lane South) subject to legal issues being resolved. Evidence from the GTAA indicates that 3 existing households at the Oaks met the planning definition and 17 households do not meet the definition. It is therefore assumed that the 2 pitches will meet the needs of 'non-travelling' households. This can be confirmed when the new households occupy the vacant pitches. Table 2 includes the update.

Table 2: Need for 'non-travelling' households

Timeframe/ Source	Years 0-5 2020-25	Years 6-10 2025-30	Years 11-15 2030-35	Year 16 2036	Total
GTAA 2020	6	1	1	1	9
Updated need 2022	4	1	1	1	7

Need for 'travelling' Showpeople plots

3.14 The GTAA 2020 identified that there was no current need for any travelling showpeople plots that meet the new definition.

Need for Transit pitches

3.15 Following the granting of a preventative injunction by the High Court, the GTAA 2020 recommended that the situation relating to levels of unauthorised encampments should continue to be monitored. As well as information on the size and duration of the encampments, this monitoring should also seek to gather information from residents on the reasons for their stay in the local area; whether they have a permanent base or where they have travelled from; and whether they have any need or preference to settle permanently in the local area. This information could be collected as part of a Welfare Assessment (or similar).

3.16 It is recommended that a review of the evidence base relating to unauthorised encampments, including the monitoring referred to above, should continue to be undertaken on a Surrey-wide basis. This will establish whether there is a need for investment in any new transit provision or emergency stopping places, or whether a managed approach is preferable.

2.16 It states that in the short-term the council should continue to use its current

approach when dealing with unauthorised encampments and management-based approaches such as negotiated stopping agreements.

- 2.17 Work to provide a network of transit sites has however occurred since the publication of the GTAA 2020, to ensure that accommodation needs can be met across the wider-county area.
- 2.18 On 24 February 2021, the council ratified the Cabinet decision to contribute the capital costs in respect of the establishment of a transit site in the east of the county and thereafter contributing to the ongoing management and maintenance costs of the site. It is envisaged that subject to receiving planning permission, the 10-pitch transit site would be developed in 2022.

Summary of need for pitches in Elmbridge Borough

- 2.19 Based on the level of need identified in the GTAA, changes in provision since the GTAA was undertaken and likely supply, the council considers the remaining need to be:
- 10 pitches for travelling households including 4 pitches in the first 5-years (0 pitches in pitches in years 6-10 and 6 pitches in years 11+); and
 - 7 pitches for non-travelling households including 4 pitches in the first 5-years (1 pitch in years 6-10 and 2 pitches in years 11+).

4. Providing Pitches

- 4.1 The conclusion in the GTAA 2020 states that ‘alternative approaches should be considered when seeking to address the levels of need identified in the GTAA especially when seeking to meet the need through the intensification or expansion of existing private sites’ (GTAA, 2020).
- 4.2 As set out in Table 1, the remaining need for pitches within the borough for those travellers that met the planning definition of a traveller is for 4 pitches in the first 5-year period and a further 6 pitches for years 11+. The reduction in the number of pitches required is a result of permanent permission being granted for 8 pitches at The Paddocks, 41 Pleasant Place in November 2020. At the time of writing the GTAA, this site was unauthorised as the temporary permission had expired.
- 4.3 Considering how the remaining need for 4 pitches in the first 5-years can be met, the GTAA 2020 states that the first approach to consider (in relation to the overall provision of pitches) is in relation to single concealed or doubled-up adults and teenagers who will be in need of a pitch of their own in the next 5 years. The GTAA concludes that in the short to medium term it is likely that the accommodation need of these individuals could be met through additional touring caravans on existing sites which are, generally, each equivalent to the provision of a pitch, as opposed to more formally set out pitches.
- 4.4 The Council considers this a suitable option that would provide for / some all of the remaining requirement of 4 additional pitches in the first 5-years of the plan.
- 4.5 The second approach recommended in the GTAA is to consider sites occupied by larger extended family groups. The GTAA concludes that again, sites like this may be able to meet the overall accommodation needs through a combination of shared static caravans, tourers and dayrooms on existing sites which are, generally, each equivalent to the provision of a pitch – as opposed to more formally set out sites with separate pitches. The GTAA notes that it is common for conditions in Decision Notices for Travellers sites to simply place limits on the numbers and types of caravans as opposed to placing limits on the number of pitches.
- 4.6 All existing sites in Elmbridge have planning permission with several

conditions attached to their planning decisions including restrictions on pitch and caravan numbers. Therefore, applications to change conditions would be required to allow these alternative approaches to be implemented and in doing so could meet the remaining need. This would work well for those families doubling up and teenage children that may want to stay close to their families and local connections

- 4.7 Following the considerations set out above, the GTAA recommends that need for households that met the PPTS planning definition is addressed through a combination of specific pitch allocations relating to the intensification or expansion of existing sites – considering some of the alternative approaches set out above.
- 4.8 A further 3 pitches are required in the 11-15-year and another 3 pitches in the 16-year timeframe. The GTAA suggests that ‘future need from new household formation could also be met through natural turnover of pitches over time’ (GTAA 2020).
- 4.9 For those households who do not fall within the PPTS planning definition, National policy states that this need should be met as part of general housing need, as all Travellers that do not meet the planning definition will have been included as part of the overall local housing need figure.

5. Conclusion

- 5.1 This document confirms that the alternative methods suggested in the GTAA 2020 will be used to address the levels of need identified. This will inform the development of relevant policies in the emerging Local Plan which will guide the consideration of future planning applications for Gypsy, Roma and Traveller sites.
- 5.2 The GTAA 2020 states that the amount of pitches required would not warrant a formal set of pitches being allocated at this stage. 8 pitches have already been granted permission and meet some of the identified need in the first five year of the plan. The remaining 4 pitches will be met through the alternative methods suggested, which includes additional touring caravans, shared static caravans, tourers and dayrooms on existing sites.
- 5.3 A criteria-based policy in the Local Plan will provide a basis for decisions for applications that come forward either as windfall supply or as part of the alternative measures suggested in the GTAA 2020.
- 5.4 Alternative methods to meet the outstanding 4 pitches in the first 5 years and 3 pitches in years 11-15 will require monitoring to ensure that this is delivering the need identified. This approach will be re-evaluated in the next GTAA and Local Plan review.