

[REDACTED]

From: Barry O'Donnell [REDACTED]
Sent: 17 February 2015 14:38
To: Planning Policy
Subject: Representation to the Strategic Growth Options Consultation
Attachments: 8940 L 150216 BOD local plans reps letter FV.pdf

Dear Sirs,

Please find attached our representation to the current consultation.

I would be grateful if you could confirm receipt of this by replying email.

Kind regards,

Barry O'Donnell
Senior Planner - RPS Planning & Development

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Date: 16th February 2015

The Department of Planning Services
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
Essex
CM15 8AY

Dear Sirs,

RE Brentwood Local Plan Strategic Growth Options Consultation

I refer to the above consultation, which runs until the 17th February 2015. Please accept this letter of representation as a formal response to the consultation.

Having spoken with Ms. Camilla James (Planning Policy Officer), I understand the current consultation is in response to a number of key issues which have arisen since the time of the draft Local Plan 2015-2030 Preferred Options consultation (July 2013), and the Borough Council is not abandoning 2013 Preferred Options document altogether. The current consultation is thus to be viewed in tandem with the Preferred Options document.

The reason for this letter is that we wish to comment on the Council's approach to identifying suitable travellers sites.

Emerging Brentwood Borough Council Traveller policy

One of the issues requiring reconsideration in this consultation relates to planning for Gypsies and Travellers (G&T), following production of a G&T accommodation assessment for all of the Essex local authorities (Page 6). The consultation goes on to state that *the Council will need to consider the conclusions of this in preparation of the next version of the Draft Local Plan.*

Draft Policy DM28 of the Preferred Options document sets out the Council's proposed strategy for identifying suitable sites for Gypsies and Travellers within the borough. The policy proposes to ***meet the need for 44 permanent Gypsy and Traveller Pitches to 2030...the Council will identify Gypsy and Traveller sites to meet this provision, through a combination of allocations to ensure a five year land supply is maintained throughout the plan period, and the grant of planning permissions in accordance with the following criteria:***

- a) ***The site does not give rise to unacceptable harm to the Green Belt,***
- b) ***The site is well related to existing communities and accessible to local services and facilities, such as shops, primary and secondary schools, healthcare and public transport,***
- c) ***The site is serviced by a suitable access road,***
- d) ***The location would not result in unacceptable living conditions for its occupants,***
- e) ***The proposed accommodation would not harm the character and/or appearance of the area and/or result in unacceptable visual impact,***
- f) ***The site is located, designed and landscaped to minimise any impact on the environment.***

Under the policy, the Council proposes to meet its entire need through the permanent allocation of some existing temporary sites and by providing the remainder as part of mixed-use development at one or more new strategic allocations.

We are concerned that the Council is only considering the housing needs of Gypsies and Travellers, not Travelling Showpeople. Page 8 of the document *‘Planning Policy for Traveller Sites’* (PPTS, March 2012) specifically excludes Travelling Showpeople from the definition of gypsies and travellers so it is our assumption that the Council is not including Travelling Showpeople in the policy. This is further emphasised by the fact that draft policy DM28 only discusses the provision of Gypsy and Traveller pitches which are by definition separate and distinct from Travelling Showpeople plots (again see PPTS, page 8). As it stands, where the draft Local Plan appears to us to be silent on the provision of Travelling Showpeople accommodation, the Council is vulnerable to the presumption in favour of sustainable development, as set out in Paragraph 14 of the NPPF, which confirms that where a plan is silent planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Whilst we accept that the *Essex Gypsy and Traveller and Travelling Showpeople Accommodation Assessment* (EGTTSA) undertaken on behalf of the Essex Planning Officers Association by Opinion Research Services (ORS) in July 2014 suggests there is no identified need for plots for Travelling Showpeople accommodation within Brentwood Borough, PPTS is clear that Local Plans should include criteria-based policies, as a basis for decisions for any such application, should a proposal come forward nonetheless. This is in order to provide a fair and equal method of facilitating the traditional way of life of Travelling Showpeople.

We note that the EGTTSA has identified a need to provide 183 additional plots, across Essex, in the period from 2013 to 2031. Both the NPPF and PPTS place a clear duty to co-operate on local planning authorities in both identifying and delivering Travelling Showpeople's accommodation to meet with this identified need. It may be that Brentwood Borough Council is required to provide accommodation which has been identified in one of the adjoining Boroughs. The Local Plan needs to provide a suitable policy framework for Travelling Showpeople as well as gypsies and travellers.

Furthermore, we are concerned that the draft policy, as currently worded, suggests that the Council will only support applications on suitable sites up to the point where a total of 44 pitches are provided. This approach is contrary to PPTS, for the same reason.

National Traveller Policy

PPTS provides Government policies for traveller sites (noting that the definition of ~~traveller~~ in PPTS includes ~~Gypsies and Travellers~~ and ~~Travelling Showpeople~~). The aim of this document is to ***ensure fair and equal treatment for travellers, in a way that facilitates the traditional...way of life of travellers, whilst respecting the interests of the settled community***.

Local planning authorities should ensure that their traveller policies, amongst other things, ***promote peaceful and integrated co-existence between the site and the local community*** and ***reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability***.

Suggested amendments to the Council's draft policy

Criterion (b) of draft Policy DM28 states that suitable sites will be ***well-related to existing communities and accessible to local services and facilities***. If our understanding is correct, and the Council is suggesting that only urban-edge sites will be considered suitable, this is inconsistent with PPTS.

Travellers' traditional way of life often involves living in rural areas. Indeed, we note the following from the EGTTSA: ***the majority of sites in Brentwood are in remote Green Belt areas...some of these Gypsy and Traveller residents have been situated in the Green Belt for many years and show a preference to live there rather than being located near towns and villages***.

We would suggest the Council adopts a more holistic view of the requirements of travellers when considering the suitability of individual sites. PPTS confirms that it is perfectly acceptable to allocate/grant planning permission on rural sites for travellers, provided they do not dominate the nearest settled community (Paragraph 23). Indeed, when one considers the important requirement for local planning authorities to promote peaceful and integrated co-existence between a travellers site and the settled community (Paragraph 11a), it could be the case that a rural location provides the most sustainable option for accommodating travellers.

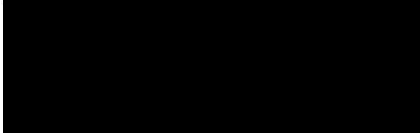
Referring specifically to Travelling Showpeople sites, we consider an urban or urban edge site allocated for this purpose would also be an inefficient use of land, particularly given the difficulty the Council faces of providing 5,500 new homes over the plan period. Showmen Guild Model (site layout) Standards (2007) confirm that a plot of over 0.5 acres (0.22ha) is normally required, when one accounts for the need for storage space of equipment, vehicles and machinery within individual plots. It is unlikely that Travelling Showpeople accommodation could secure the values that would be necessary to acquire such land, unless this was provided by a developer through a planning obligation. Furthermore on the point of the Council's suggested delivery mechanism as part of a strategic allocation, we see no policy basis on which the Council could reasonably justify requiring a developer to provide land for the purposes of travellers accommodation, as part of any planning application for bricks and mortar housing, since it would be difficult to see how it would be required in order to make a proposed residential development acceptable in planning terms. It is therefore extremely risky to rely on this approach as a source of land for travellers sites.

We would suggest that the Council should consider an additional category of land that could also form an appropriate supply of sites for gypsies and travellers. Previously developed sites in rural areas, including suitable sites within the Green Belt, may be an appropriate alternative option for allocation / granting of planning permission for the purposes of Travelling Showpeople accommodation. Such sites would provide an efficient re-use of previously developed land, supported by both the NPPF and PPTS, and would meet with the above-stated requirements of promoting peaceful co-existence between traveller and settled communities and also reflecting the contribution of these sites to sustainable development these sites make, by reason of the fact that residents often live and work on the same site. Clearly such policy would need to make it clear that such use of previously-developed land in the Green Belt must comply with other Green Belt policies.



We would be happy to discuss the matter further, should you have any queries in relation to my representation.

Yours sincerely
For RPS



NICK LAISTER
Senior Director