MEMO | **Spatial Planning Service**

To:	Gavin Forrest		
From:	Henning Totz	Ext No:	
cc:			
My ref:		App:	PL/2023/05363
Date:	29 August 2023		

Dreamlea, Cricklade Road, Purton Stoke, Swindon, Wilts, SN5 4JG

Change of use of land from equestrian to two Gypsy and Traveller pitches, to include the change of use of an equestrian storage building to a shared day room.

Policy Response

Development Plan

- The Wiltshire Core Strategy (CS)
- Saved policies in the North Wiltshire District Local Plan
- Purton Neighbourhood Plan

Other relevant policy / guidance

- National Planning Policy Framework (NPPF)
- Planning Policy for Traveller Sites (PPTS)
- National Planning Policy Guidance (NPPG)

Emerging development plan

- Gypsy and Traveller Development Plan

Comments

Planning law prescribes that planning applications are to be determined against the development plan unless material considerations indicate otherwise.

Pitch requirements

Wiltshire Core Strategy

The adopted CS identifies permanent pitch requirements for gypsies and travellers in Core Policy 47. The proposal falls into the North and West Housing Market Area (NWHMA) and is assessed against the 2016-21 pitch requirement for this area which is 22. For the previous five years 2011-16, the requirement was 26 pitches.

The latest five-year period has now expired so for the purpose of monitoring, a pro rata pitch requirement is applied based on the 2016-21 requirement. In total this means for 2016-23 the rounded up requirement is 31 (22 + (22/5*2).

The Spatial Planning Team routinely monitors the grant of planning permission for permanent pitches against these requirements. The position as of August 2023 for the NWHMA is presented below:

Core Policy 47 Adopted Core Strategy Requirement (Dec 2016-2022)			
	Requirement 2016-23	**Permanent Permissions 2016-23**	**Residual Requirement**
North and West	31	70	-39

Also, there was an oversupply of 23 pitches in the NW HMA against the 2011-16 requirement, and in monitoring terms this is carried over into the 2016-21 monitoring period. Considering the oversupply of 23 pitches from the previous 5 years, the CS requirement has therefore been met and exceeded.

Five Year Supply

In August 2019 the Council published a Five-Year Supply Statement for permanent gypsy and traveller pitches, in accordance with PPTS para 10 which states:

Local planning authorities should, in producing their Local Plan:

a) identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets

http://www.wiltshire.gov.uk/spp-gt-housing-land-supply-statement-2018-published.pdf

The Statement confirms that as of January 2018 there was a 12-year supply of pitches in the NWHMA against the CS requirement in Core Policy 47 (see above).

Because the 2014 GTAA formed the latest assessment of need at the time (August 2019), a five-year supply position against its requirement is also presented in the Statement. It confirms that as of July 2018 there was a 9-year supply of pitches in the NWHMA. (Note that 2018 is the base year for land supply in alignment with the HLSS for conventional housing).

There has been no further update to the 5-year land supply position since 2019.

Please note that a new, 2022 based GTAA has now been published. Further comments are provided below.

Locational criteria

Proposals are to be assessed against the criteria in Core Policy 47. The policy states that new development should be situated in sustainable locations, with preference generally given to previously developed land or a vacant or derelict site in need of renewal.

CP47 i) states that no significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where conventional housing would not be suitable. The site is located in Flood Zone 1. Land behind the proposed site falls into flood zones 2 and 3. Other consultees may be able to advise on any other potential barriers to development.

CP47 ii) requires that the site is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users. Highway officers will be best placed to comment on the proposal in this regard. Paragraph 109 in the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

CP47 iii) requires that the site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal. Foul water drainage is proposed to be dealt with by way of treatment plant which is not unusual for traveller sites. It is stated that the site can be connected to mains water and power.

Criterion iv) requires that the site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play areas. Highway consultees will be able to confirm whether the site can be safely accessed and accommodate internal vehicular movements and is therefore compliant with policy.

CP 47 v): states that proposals will be considered favourably where a site is located in or near to existing settlements within reasonable distance of a range of local services and community facilities, in particular schools and essential health services.

The nearest settlement recognised as such in adopted CS Core Policy 19 is Purton Stoke, a small village. Facilities and services, including schools and surgeries, are available at nearby Purton (2km), and additionally at higher order settlements Swindon and Royal Wootton Bassett.

Other traveller sites have been permitted by the Council in open countryside outside settlements with similar distances to essential services.

CP47 vi) requires that a site will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties and is sensitively designed to mitigate any impact on its surroundings.

Linked with this, PPTS Policy C and paragraph 25 state that “local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure”.

From a planning policy perspective any impacts on the nearest settled community would have to be relevant in planning terms. By setting respective policy (PPTS Policy C), the Government acknowledges in principle that traveller sites can come forward in countryside locations, and indeed, traveller sites have been permitted in such locations in Wiltshire either by the council or at appeal.

The policy requirement of avoiding ‘dominance’ is not detailed further in national planning policy. Further advice should be obtained from Landscape colleagues if the development would be visually intrusive.

There is no evidence to suggest that 2 pitches in this location would put undue pressure on local infrastructure at settlements referenced under v) above.

CP47 vii) requires that adequate levels of privacy should be provided for occupiers. It is important to ensure that the minimum space requirements for pitches, including safety gaps/easements between structures are maintained and provide adequate safety levels.

CP47 ix) requires that the site should not compromise a nationally or internationally recognised designation nor have the potential for adverse effects on river quality, biodiversity or archaeology.

The ecologist and landscape officers are best placed to comment.

Emerging Development Plan

The emerging Gypsies and Travellers Plan is at an early stage in the plan-making process.

The Housing Act 1985 (as amended) states that local authorities should periodically assess the accommodation needs of persons residing in caravans and houseboats within the district. Planning Policy for Traveller Sites (DCLG, August 2015) provides that local planning authorities should make their own assessment of need for the purposes of planning (para 4b); use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions (para 7c); and that local planning authorities should set pitch targets for gypsies and travellers as defined in Annex 1 and plot targets for travelling showpeople as defined in Annex 1 which address the likely permanent and transit site accommodation needs of travellers in their area (para 9).

Wiltshire Council commenced a GTAA in the spring of 2019. It was completed in June 2020. The study was conducted by Opinion Research Services (ORS) on behalf of the Council and published on the Council's website in October 2020. The study informed the pitch and plot requirements set out in the Regulation 18 consultation on the draft Gypsies and Travellers Development Plan Document (DPD), which took place between January and March 2021. The consultation document, and the consultation report, are available on the Council's website. The plan has not reached a stage where it could be afforded material weight in decision taking.

The 2020 GTAA has now been superseded by a March 2022-based GTAA, also available on the Council's website. GTAAs are routinely considered in decision taking by planning inspectors and the 2022 GTAA now forms the most up to date assessment of accommodation need of gypsies and travellers and travelling showpeople in Wiltshire. It will inform the next consultation on the draft Plan which is scheduled for the end of Quarter 4, 2023, in accordance with the 2022 Local Development Scheme (LDS).

The 2022 GTAA covers the period 2022 to 2038. It proposes pitch requirements for gypsies and travellers, and plot requirements for travelling showpeople. The requirements are for households who meet the definitions in PPTS Annex 1; households who do not but may be protected under equality legislation; and households who could not be determined due to absence or refusal to engage with the assessment. The GTAA also makes recommendations how to meet temporary accommodation requirements.

For gypsies and travellers that meet the planning definition in Annex 1 to PPTS, a total of 120 pitches are needed between 2022 and 2038. For the first five years (2022-27), 79 pitches are needed. At this stage, the Council cannot demonstrate a five-year supply against the new pitch requirements in the 2022 GTAA. There is additional need identified in the study for households that have ceased to travel.

Chapter 3 in the report sets out the GTAA methodology. Key components of the assessment are household interviews on traveller sites in Wiltshire; interviews with traveller households in bricks and mortar; and the projection of accommodation need over the assessment period using household formation rates.

The site was not in existence when the GTAA was undertaken (see Figure 6). Consequently, the proposal would not contribute to meeting identified need in the study as the site is considered to be occupied by the applicants, and would therefore unavailable to households with identified need currently residing in the county. Para 7.31 in the GTAA states:

"*It is important to note that any applications for new sites or additional pitches as a result of in-migration should be seen as windfall need and will not contribute towards meeting need identified in the GTAA and the 5-year supply. They can be dealt with by a Criteria-Based Local Plan Policy.*"

There may however be personal circumstances that are relevant in the determination of the application (see PPTS Policy H) and it is noted that a confidential document was submitted detailing the applicant's circumstances.

Conclusion

The pitch requirements for the NWHMA set in the Core Strategy have been met. There was a sufficient supply of traveller sites in this HMA as of 2018. The site would not contribute to meeting identified need in the 2022 GTAA but there may be personal circumstances relevant in this case.

The proposal would broadly accord with Core Policy 47 criterion v). Other consultees will be best placed to comment on the proposal's compliance with the remaining locational criteria in the policy.