

HEREFORDSHIRE COUNCIL
Examination of Travellers Sites Development Plan Document

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Dear Mr Singleton & Ms Newey

INSPECTOR'S POST HEARING ADVICE

1. As indicated in my closing comments at the hearing (INS005) this letter sets out advice about the steps that should be taken to make the Travellers Sites Development Plan Document (TSD) sound.
2. I have given full consideration to the representations made about the TSD including the verbal contributions at the hearings. My final conclusions regarding soundness and procedural compliance will be given in the report in due course. Nevertheless, having regard to the criteria for soundness and to assist for now, I shall give brief explanations for my preliminary advice.
3. Further evidence may emerge and I will need to take account of any representations received following consultation on any proposed main modifications. My views are therefore given here without prejudice to the conclusions that will appear in the report. This will also cover other main soundness issues that are not dealt with in this letter.

Need for and supply of traveller sites

4. Following the discussion at the hearing I consider that a useful first step would be to revise Table 5.1 of the Herefordshire GTAA update of 2017 (A13). In order to relate as closely as possible to the likely adoption date of the TSD it should cover the provision of a 5 year supply of specific deliverable sites from 1 April 2018. Therefore the table should concern itself with the period 2018/19 to 2022/23 although it can be based on the survey work largely undertaken in April/May 2017. This should be reflected in the heading.
5. A series of detailed adjustments should then be made based on my understanding of the evidence presented:
 - The total number of households living on pitches in section 1 will have increased due to the 5 previously vacant pitches now occupied and possibly the 2 extra pitches given planning permission after April 2017;
 - The total number of households in bricks and mortar recorded in the census serves no purpose and therefore 2a in the table can be omitted;

- The 5 households listed as planning to move to another pitch or site in the next 5 years at lines 3a and 3b will already be included in section 1 and may duplicate those on the housing register. These entries should therefore be removed;
 - Consideration of those wishing to move to bricks and mortar is valid but will be included in the supply side and so line 3c should be removed;
 - Whilst the housing register is a snap shot in time and numbers can fluctuate it provides the best and most recent information about those wishing to have a public site. Therefore the data from April 2018 should be inserted at 3e (27) and 3g (12).
 - With the above changes this would produce a figure at 3h of 39 although section 3 might more accurately be titled to refer to existing households in need of a pitch in the next 5 years;
 - The number of emerging households over the next 5 years in section 4 should be reviewed in the light of the increased number of total households living on pitches but this number is likely to be at least 24;
 - Total need at line 5 will be a product of previous adjustments but will be at least 187;
 - The number of current occupied authorised pitches at line 6a should be 129 to take account of the 5 pitches now occupied and the 2 permitted since April 2017 and there are now 2 current vacancies at 6b. Total supply at 6c should be 131.
 - As a consequence the overall pitch shortfall for 2018/19 to 2022/23 for all gypsies and travellers whether or not they comply with the definition in the Planning Policy for Traveller Sites would be at least 56 pitches.
6. It would be of assistance if the Council could revise the table for this period taking into account my comments above and any factors I have omitted. It would be of assistance if this could be submitted as a separate document within the next 14 days. If there are any detailed queries about the methodology then these can be addressed to me via the Programme Officer. Following on from this the Council should also calculate longer-term need from 2022/23 to the end of plan period.
7. Once this has been finalised then the supporting text to the TSD including Table 1 will need to be revised to suit. But for the time being the aim should simply be to update Table 5.1. However, when the adjustments outlined above are translated into overall pitch need then there are also consequences for supply which I deal with below.
8. The Council's approach to calculating the adequacy of 5 year supply takes into account pitches completed since 2011 as this is the start of the plan period. However, these pitches and the households living on them would have been incorporated into the assessment of need undertaken by the GTAA in 2017. This calculated the needs of households at that date by which time

those 20 pitches would already have been occupied and so would have formed part of the supply. Such a retrospective assessment of need does not therefore give a true picture of the current position. Accordingly the pitches permitted between 2011 and 2017 should not be used to reduce the up-to-date 5 year requirement.

9. Applying the definition of gypsy and traveller in the Planning Policy for Traveller Sites to the overall 5 year pitch shortfall in accordance with paragraph 3.16 of the GTAA would give rise to a need for at least 20 pitches. This is the level of supply that the plan should provide for. The proposed allocations in the TSD total 9 pitches. The TSD assumes that any residual pitch requirement will be met by turnover on public sites. However, this is not realistic as it will not, in itself, create additional pitch capacity. Nevertheless, based on the evidence provided it would be reasonable to allow for the creation of 1 net vacancy a year to reflect those likely to move back into bricks and mortar. This would give a 5 year supply of 14 pitches.
10. The upshot of this is that the TSD fails to identify a supply of specific deliverable sites sufficient to provide 5 years worth of sites from 2018 against locally set targets. It is notable that the Planning Policy for Traveller Sites specifically refers to *identifying* sites and makes no reference to the provision of sites by means of 'windfall'. Given that there is an immediate need and that providing for an adequate supply is a fundamental aim of Government policy my advice is that the TSD is not sound as it stands. However, to remedy this, the Council may wish to investigate ways to increase supply by at least 6 deliverable pitches and so ensure a 5 year supply on adoption.
11. Various means to do this were canvassed at the hearing. These included re-assessing previous sites put forward; giving greater attention to the provision of private sites; re-visiting the potential to expand existing sites; considering the use of formerly unauthorised sites that have now been vacated or undertaking a further call for sites. It is a matter for the Council as to which of these approaches or mix of approaches to pursue given its desire to progress the funding of sites proposed in the TSD. Once it has decided on a way forward then could the Council please advise me so that, in turn, I can give any further guidance. For example, if pitches on new sites are proposed then it may be prudent to undertake a separate consultation exercise before these are included as proposed main modifications.

Finally

12. I am not inviting comments from anyone on the advice given in this letter. It is primarily directed to the Council for the purpose of identifying matters to take forward in order to achieve soundness. This comprises an initial step of confirming the shortfall in the 5 year supply of pitches following updates to Table 5.1. However, this letter also provides an indication of the likely scale of that shortfall and the possible options open to the Council. In addition, further consideration should be given to the access arrangements for site TS3 as referred to in my closing comments to the hearing. Until the way forward has been identified there is no merit in progressing any proposed Main Modifications.

13. Could the Council let me know as soon as possible if there is anything in this letter that is unclear or requires further explanation and keep me informed of progress via the Programme Officer.

David Smith

INSPECTOR

7 June 2018