**TORBAY LOCAL PLAN**

**A landscape for success**

**The Plan for Torbay – 2012 to 2032 and beyond**

SUBMISSION PLAN

**POST-HEARING SESSION DOCUMENTATION**

**PH/13 – Summary and implications of Devon Partnership Gypsy and Traveller Accommodation Assessment 2015**

Torbay Council – 20 April 2015

**BACKGROUND**

At the date of Submission of the Local Plan (July 2014), preparation of the’ Devon-wide Traveller Accommodation Assessment’ [Submission Document SD51] was still in its early stages. The Devon Partnership of local planning and national park authorities had commissioned RRR Consultancy Ltd to carry out this work.

The Examination Inspector will recall that in the interim, the Council had carried out its own ‘in house’ study (see Submission Document SD 52 ‘Review of the demand for gypsy and traveller accommodation in Torbay’). This provided the evidence necessary to underpin the relevant Proposed Submission Plan Policy, namely Policy H5 ‘Sites for travellers’. Subsequently, SD52 was submitted to the consultants carrying out the Devon-wide study in April 2014 to assist the research being carried out.

An update on the progress that had been made by RRR Consultancy Ltd was provided in Torbay Council Document TC/3, dated 17 November 2014.

This Post Hearing Session Document (PH/13) provides further information on this study, and sets out some recommendations for consideration by the Inspector.

The study, now entitled the ‘Devon Partnership Gypsy and Traveller Accommodation Assessment 2015’ was completed with the agreement of the constituent local planning authorities on 20 April 2015. A copy of the final version has now been placed in the Examination Library on the Council’s web site (Post Hearing Session Document PH/12).

**TORBAY FINDINGS**

It will be noted that there are various references to Torbay throughout the RRR Assessment. The key recommendations are set out in paragraphs S34 (Table S1), 9.16 (Tables 9.2 and 9.4) and Appendix 1 (Tables A13 and A14). In addition, reference to transit sites / emergency stopping places is made in 9.33.

The Assessment identifies a need for 2 permanent /residential site pitches over the period 2014-2019 (but none between 2019 -2034), a need that is calculated to arise from the existence of ‘Family units in housing but with a psychological aversion to housed accommodation’. This need is derived from the application of a statistical formula to 2011 census ethnicity figures relating to ‘White: Gypsy or Irish Traveller’ residents living in Torbay.

This approach has also been used to calculate a need for additional units of traveller bricks and mortar accommodation for four families by 2034, comprising one unit for each of the four five-year tranches between 2014 and 2034, reflecting anticipated population growth during this period.

**RECOMMENDATIONS TO EXAMINATION INSPECTOR**

An up to date context for the assessment of traveller accommodation requirements is now set out in two recent studies. The Devon-wide assessment suggests the need for two permanent residential pitches in Torbay, which is a very small number. It is noted that this stems from the application of a statistical formula to broad census data for the area, rather than from empirical evidence of demand. The Study authors have stressed that this figure represents a broad indication of need rather than a specific target. Based on discussions with key contacts involved with gypsy and traveller liaison in the Torbay area, the Council’s own detailed accommodation assessment (SD52) concluded that there was no clear evidence of any short or longer term need for permanent traveller pitches in Torbay. There are also clearly issues of economy of scale attached to the provision and maintenance of a limited number such as this.

In this context, and given the absence of existing sites, traveller tradition and culture, and any established traveller community in the area, it is the view of the Local Planning Authority that it is unnecessary to amend the Submission Local Plan to require the allocation of permanent residential pitches in Torbay. It is considered that Policy H5 ‘Sites for travellers’ continues to provide sound guidance for any prospective applicants for new sites. As part of this process, applicants are able to have regard to both studies that have been carried out (SD51 and SD52).

A similar position is taken on how the estimated need for additional units of traveller bricks and mortar accommodation for four families should be addressed; it is not considered necessary for the Local Plan specifically to require the allocation of such units. General guidance on meeting Torbay’s housing requirements is provided by Policy SS11 ’Housing’, which seeks to ensure that an appropriate range of dwellings to meet current and future needs will be sought, as do Policy H1 ‘Applications for new homes’, PolicyH2 ‘Affordable housing’ and Policy H3 ‘Self build affordable housing and exception sites’. This policy framework would allow agreement between a developer and the Local Planning Authority to meet such a bricks and mortar need for travellers, if such a need was demonstrable and deliverable.

In addition, the emerging Torbay Housing Strategy will consider in more detail the delivery of specific identified housing needs in the area. It is considered that this is the most appropriate framework to embrace this specific accommodation need, which could be met by either the private or public (RSL) sector. This Strategy may also address the matter of the management of unauthorised traveller encampments and temporary site provision.

 In conclusion, a further minor ‘Additional Modification’ comprising editorial amendments to, and updating of, the Explanatory text to Policy H5 is considered to be necessary to reflect the above points. The suggested revised wording (shown in red) is as follows:

Revised Explanation to Policy H5 ‘Sites for travellers’

**(Revise paragraph 6.4.1.39.....)**

**6.4.1.39** A local assessment of traveller accommodation need in Torbay was carried out by the Council in Summer/Autumn 2013. The study confirmed that no evidence existed that indicated a need for the Council to make provision for permanent or transit site accommodation for travellers, namely ‘gypsies and travellers’ and ‘travelling showpeople’~~. However, it is intended that the need for accommodation will be kept under review in conjunction with other Devon authorities.~~ At present, there are no sites within Torbay that accommodate travellers and, furthermore, there has been no history of any planning applications for any type of sites in the unitary area.

**(Insert the following new paragraphs after 6.4.1.39......)**

In order to increase the body of evidence available, and to obtain a wider perspective, the Council has also engaged in a Devon-wide study. The ‘Devon Partnership Gypsy and Traveller Accommodation Assessment’ was jointly commissioned in April 2014 with other local authorities in Devon as part of Torbay’s ‘duty to cooperate’ responsibilities. This was completed in April 2015. This study suggests that a need exists for two permanent /residential site pitches over the period 2014-2019.

An additional need has also been estimated for additional units of traveller bricks and mortar accommodation for four families by 2034, comprising one unit for each of four five-year tranches between 2014 and 2034, reflecting anticipated population growth during this period.

In both cases, the identified need is a hypothetical assessment derived from a statistical assessment of 2011 census ethnicity figures for Torbay, rather than product of empirical survey information derived from the local housing authority or the traveller community. The figures put forward represent broad indicators of need rather than specific targets.

It also suggests that some provision of transit / emergency stopping places could be made in Torbay. The Council will continue to explore improved ways of managing unauthorised traveller encampments and keep the need for such temporary sites under review.

Applications for new traveller accommodation will be considered in the context of the Devon Partnership study, the Council’s earlier local assessment of traveller accommodation demand, and any successor studies. Neighbourhood Plans should also have regard to these studies when drawing up proposals to meet the range of housing needs identified for their respective areas.

**(Renumber paragraphs 6.4.1.40 and 6.4.1.41 accordingly)**