

**MAIDSTONE BOROUGH LOCAL PLAN EXAMINATION  
WRITTEN SUBMISSION BY CPRE KENT &  
MAIDSTONE DISTRICT COMMITTEE OF CPRE KENT**

SESSION 10B - GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE

1. NEEDS ASSESSMENT

**Qn10.2** As there would be a significant shortfall in site allocations against the assessed needs, would a revised assessment necessarily affect the need for such allocations or only the allowance for development on undeveloped sites? and **Qn10.4** Would it be proportionate to reassess need now on the basis of the most recent Government policy and how could the associated delay be accommodated?

Whilst CPRE Kent has recognised that there is a clear demand for traveller sites in the Borough we did not make representation on the proposed Gypsy and Traveller site allocations at the Regulation 18 consultation 2014, Regulation 18 consultation 2015, or Regulation 19 consultation 2016 as we considered that there was no sound evidence of need.

This was because the January 2012 GTTSA (HOU 001) was carried out under the requirements of the 2004 Housing Act and that since then the definition had been changed for planning purposes twice. First in March 2012 and then in August 2015.

NPPF paragraph 158 states that local planning authorities should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence.

The Planning Practice Guidance at the section on *'What evidence is needed to support the policies in a Local Plan?'* (Reference ID: 12-014-20140306) provides the following further guidance:

*'The evidence needs to inform what is in the plan and shape its development rather than being collected retrospectively. It should also be kept up-to-date. For example when approaching submission, if key studies are already reliant on data that is a few years old, they should be updated to reflect the most recent information available (and, if necessary, the plan adjusted in the light of this information and the comments received at the publication stage).'* [My emphasis].

In our representations on the Regulation 18 consultation 2014 we set out the reasons why we considered that the Study, whilst appropriate for the time that it was produced, needed to be looked at on a different basis, or redone. At the Regulation 19 consultation 2016 stage we again made clear that due to the changes in definition we were unable to comment on specific sites in advance of a new GTSSA being undertaken.

Maidstone Borough and Sevenoaks District Councils commissioned the University of Salford in August 2011 to undertake an accommodation assessment. This was published in January 2012 as 'The and Traveller and Travelling Showpeople Accommodation Assessment, January 2012' [HOU 001]. The Study provided an assessment of need for pitches and plots over the period 2011-2026, with 5 year assessments for 2011-2016, 2016-2021, and 2021-2026, and this was for 157 pitches and 9 plots. The base date for the assessment was 1<sup>st</sup> October 2011 (HOU 001) paragraph 1.6).

CPRE Kent remains concerned about the Study, because:

1. It is now five years old.
2. There have been changes to the definition for planning purposes which have not been taken on board.
3. It uses out of date data. For example: the 2012 Assessment assumed a ratio of pitch sharing rate of 1:075 as advocated in the incomplete Inspector's Report for the South East Plan Partial Review. There was no attempt to update this to provide a Maidstone based rate.

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4. With regard to Table 10.1 Summary of Gypsy and Traveller accommodation and pitch need (2011-2026) in HOU 001 in paragraphs 10.15 - 10.19 which set out how pitch assessment has been calculated it is difficult, and even impossible, to understand how the information in the 'Findings' section has translated into the 'Calculation' of need and it is therefore impossible to know if the conclusion is reasonable. For example: Paragraph 10.18:

***Households on pitches on unauthorised developments meeting the planning definition***

Applying the planning definition to households within the borough was made possible by assessing the extent of travelling undertaken by households and the reasons for not travelling where households were sedentary.

Column 1 of Table 10.1. presents the actual number of households currently residing on unauthorised developments. Since these sites are, by definition, unauthorised, these households are in need of authorised, legal accommodation, whether through the granting of planning permission, the provision of other accommodation options or the provision of accommodation elsewhere. Column 2 of Table 10.1 applies findings from the survey which detail the extent of travelling undertaken by these households. The findings and calculation are as follows.

**Finding:** The number of households living on unauthorised developments who travel at times throughout the year was 54% of the resident households. Those households who no longer travelled for reasons of their or a dependents education, age or health needs was 27% of the resident households. Responses were checked to ensure no double counting.

**Calculation:** 81% on a base population of 51 unauthorised pitches = 41 households who meet the Planning definition

5. The calculation for the update for the period 2026-2031 is unclear. 4. above sets out how it is not possible to be confident about the output assessment for the period 2011-2026. The only guidance given is in SUB 004 which at paragraph 10 states:

*'In 2013 the Council decided to extend the end of the Local Plan period from 2026 to 2031. The pitch/plot need for this additional 5 years was calculated by the University using the same approach as had been used for years 2016-21 and 2021-26 in the original Assessment.'*

This will have used out of date base data and assumptions.

6. It has not been updated.

The Planning Practice Guidance recommends that if key studies are already reliant on data that is a few years old, they should be updated to reflect the most recent information available. The Gypsy and Traveller and Travelling Showpeople Accommodation Assessment, January 2012 at paragraph 10 recommended *'that this assessment of accommodation need is repeated in due course (circa 5 years) to ensure this assessment remains as accurate as possible.'*

Given this and the concerns set out in bullet points 1-5 above CPRE Kent considers that the assessment is unsound and should be redone. Given that the original study was undertaken in around 4 months this should not delay matters too much and would provide

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a robust, up-to-date assessment in line with government guidance upon which to identify sites.

On a lesser point SUB 004 at paragraph 3 states:

*'The Gypsy & Traveller and Travelling Showpeople Accommodation Assessment: Maidstone (January 2012) (HOU 001) ("the Assessment") provides evidence of the need for Gypsy & Traveller and Travelling Showpeople pitches and plots in the borough to 2031.'*

This is incorrect. The assessment was for the period 2011-2026.