Newham 2027

Newham’s Local Plan
Gypsy and Traveller Accommodation DPD

Proposed Submission Draft

June 2016
About the Gypsy and Traveller Accommodation DPD

The Gypsy and Traveller Development Plan Document (GTADPD) is being prepared as part of the London Borough of Newham’s Local Plan.

The Proposed Submission document is the second main stage in the preparation of the DPD following consultation on an Issues and Options document (in April/June 2016). This document is the Council’s draft Proposed Submission and represents the version of the plan that the Council wish to submit for independent examination.

This document was published on 1 July 2016 for 6 week consultation. Comments should be made by 12 August 2016.

How to Comment

The Council are currently seeking views on the document in relation to ‘soundness’ and legal matters. For a definition of soundness, please refer to the NPPF.

All comments must be made in writing, preferably by email to localplan@newham.gov.uk

Consultation Documents

The consultation documents consist of the following:

- Proposed Submission Draft Gypsy and Traveller DPD
- Accompanying Documents:
  - Integrated Impact Assessment (IIA)
  - Statement of Consultation (SoC)

Documents can be viewed online at: http://www.newham.gov.uk/Pages/Services/Planning-consultations.asp

Paper copies of the GTADPD and key accompanying documents will be available to view at the East Ham Customer Service Centre (328 Barking Road, E6 2RT – please check for opening times) and at the reception of Newham Dockside (1000 Dockside Road, E16 2QU – 9 to 5 Monday to Friday only).

The GTADPD and supporting documents are also available to view online at all Newham libraries.
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Policy Context

Planning Policy in Newham

The Council’s Local Plan will shape the future of Newham. At present it comprises the Core Strategy (2012), the saved policies of the Unitary Development Plan (UDP), the Joint Waste Development Plan Document for the East London Waste Authority Boroughs (2012) and the Local Plan Proposals Map (2012). A Detailed Sites and Policies Development Plan Document (DSPDPD) is currently undergoing Examination and will eventually form part of the Local Plan, replacing previously ‘saved’ UDP policies and the two area-based Supplementary Planning Documents (SPDs). Once adopted the Gypsy and Traveller Accommodation Development Plan Document (GTADPD) will also form part of the Local Plan alongside the above documents.

The Local Plan must be consistent with a number of policy documents, that will also have a hand in shaping Newham’s future. These include national and regional policy documents and guidance summarised in the diagram below which shows the key elements of the planning context within which this document sits.

Reference should always be made to the Council’s Local Plan page for the most up to date information.

Corporate policies

Newham’s Local Plan is prepared with two key themes of corporate policy in mind, Convergence and Resilience, each summarised in the table below. All policies within the Local Plan seek to contribute to the achievement of the objectives set out by these agendas, particularly those which promote more and better jobs and homes in quality environments, creating a more holistic approach to policy making and the delivery of the Council’s vision.
Introduction

Convergence

What?
Convergence, established by the Olympic Host Boroughs Strategic Regeneration Framework (2009), is the objective of achieving socio-economic convergence between the host Boroughs and the London average for key indicators of deprivation within a 20-year timeframe.

Newham and the other five ‘Growth Boroughs’ (Greenwich, Tower Hamlets, Hackney, Barking & Dagenham, Waltham Forest) the communities who hosted the 2012 Olympic Games will have the same opportunities and quality of life as their neighbours across London.

How?
The Convergence Framework is organised across three themes, each with its own objectives and action plans:

- creating wealth and reducing poverty;
- supporting healthier lifestyles;
- developing successful neighbourhoods

More info
More information on the concept can be found in the document Newham’s Legacy Story available on the Council’s website.

Resilience

What?
Resilience encapsulates the Mayor of Newham’s approach to addressing the multiple challenges of being the second most deprived borough in the UK. It is defined as:

‘much more than an ability to bounce back from a single damaging event. It is about possessing a set of skills and having access to the resources that allow us to negotiate the challenges that we all experience and that allow people to overcome the more difficult circumstances many of Newham and other boroughs’ residents experience’

How?
The Resilience Agenda includes many aspects, including those addressed by Local Plan Policy:

- maintaining a strong local economy to get people into work;
- providing genuine housing options;
- improving the quality of the physical environment;
- improving people’s health.

More info
More information can be found by searching ‘resilience’ on the Council’s website, or at the page below:
http://www.newham.gov.uk/Pages/Services/Resilience.aspx
Gypsy and Traveller Accommodation DPD

Newham’s Local Plan and Spatial Vision

Newham’s Local Plan is guided by Newham’s Spatial Vision for the Borough up to 2027, set out within the Core Strategy, adopted January 2012. The vision is for the Borough to become a place where people are more likely to choose to live, work and stay, with the Local Plan ensuring an ambitious regeneration programme is realised and that the benefits of development and growth are fully harnessed, leading to improvements to health and a reduction in deprivation and inequalities, bringing Newham more in line with the rest of London.

To achieve this, the Core Strategy comprises a number of spatial and core policies set across five major themes which are then continued by the policies of the Detailed Sites and Policies DPD (DSPDPD). Under the theme of ‘homes’ policies seek to deliver high quality housing and neighbourhoods to meet the needs of a growing population, ensuring delivery and protection of an appropriate mix of sizes, tenures and types of housing in the right location, to achieve sustainable mixed and balanced communities.

This GTADPD adds further policy in relation to Gypsy and Traveller accommodation to the Local Plan ‘homes’ theme in order to provide a clear policy framework for making decisions on applications regarding the provision of Gypsy and Traveller sites in the borough. This policy is positively prepared in that it is based on a strategy that seeks to meet objectively assessed need, including unmet need from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development. The document is to be read and used in conjunction with the other documents of the Local Plan.

Romany Gypsies and Irish Travellers are recognised as having a protected characteristic under the Equality Act 2010. Newham has had due regard to the needs of these protected groups in formulating this policy proposal. Public authorities are also under a duty through the Human Rights Act 1998 to facilitate the Gypsy way of life in relation to ethnic Gypsies.

Plan-making Process

In the process of developing the Gypsy and Traveller Accommodation Development Plan Document (GTADPD), the Council has consulted on a previous version of the document. The Proposed Submission document is the second main stage in the preparation of the GTADPD. Following consultation the Council will analyse responses, propose any further changes considered to be necessary, and submit the document to the Secretary of State for the commencement of the Examination process. If the document is found to be sound it will be adopted by the Council as part of the Local Plan.

The timetable proposed for preparation and adoption of the document is as follows:
Introduction

Proposed Submission Draft public consultation
July/August 2016
This consultation

All documents are available on the Council’s Local Plan webpage.

Local Development Scheme

The Council’s Local Development Scheme (LDS) sets out a timetable for production or review of the existing and proposed documents of the Local Plan. The current document was adopted in 2015 and is available on the Council’s website.

Statement of Community Involvement

The Statement of Community Involvement (SCI) explains how consultation on planning issues (plan-making and development management) will be carried out. The current SCI was adopted in July 2015 and is available on the Council’s website.

Supporting Documents

The GTADPD is supported by:

- An Integrated Impact Assessment (IIA), fulfilling requirements for Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), and considering health impacts and equalities effects of the DPD. The IIA assesses the likely effects of the DPD against identified sustainability objectives, it has informed the content of the DPD by testing the draft policy and has been subject to the same consultation.

- A Statement of Consultation (SoC), stating how the Council has engaged on the GTADPD so far, and the proposed responses to presentations made during the Issues and Options stage, in compliance with its Duty to Co-operate. The SoC will be subject to consultation in tandem with the DPD.

<table>
<thead>
<tr>
<th>Plan Stage</th>
<th>Date</th>
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<tbody>
<tr>
<td>Issues and Options document public consultation</td>
<td>April/May 2016</td>
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<td>Proposed Submission Draft public consultation</td>
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<td>Submission to Secretary of the State</td>
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<td>Examination Hearings</td>
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<td>Inspector’s Report and Adoption by the Council</td>
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Further information will be published on the Council’s website in due course.

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H8 Gypsy and Traveller Accommodation

Objective

Seek to ensure that the needs of Gypsies, Travellers and Travelling Showpersons are considered and that appropriate forms of accommodation are provided where the need for such accommodation has clearly been demonstrated and this aligns with the Spatial Vision.

Policy

The Council will seek to ensure that the needs of Gypsies, Travellers and Travelling Showpersons are considered and that appropriate forms of accommodation are provided where the need for such accommodation has been clearly demonstrated and this aligns with the Spatial Vision.

To this end, provision to meet these needs of Gypsies, Travellers and Travelling Showpersons, including those for new sites and pitches will be supported where:

1. Need is adequately evidenced through an up to date Needs Assessment, undertaken using an agreed, quality-assured methodology.

2. The site is not located in the Green Belt or Metropolitan Open Land, unless there are very special circumstances.

3. The site is otherwise suitable for residential development and the necessary infrastructure requirements will be made available as part of the development proposal as per policies S1, SP2, SP3, H1, SC3, SC5, INF8 and INF3.

4. The site will have safe access to the highway and will not result in any unacceptable impact on the capacity and environment of the highway network as per INF2.

5. The site is in a sustainable location and in reasonable proximity to relevant services and facilities, including transport, education, healthcare and other community infrastructure provision as per INF2 and INF8.

6. The ability to achieve neighbourliness can be demonstrated in relation to the living conditions of current or future residents of the site and its interaction with its neighbours and neighbourhood, in accordance with Policy SP8.

7. Proposals demonstrate high quality design, sensitive to local character in accordance with Policy SP1, SP2, SP3 and H1 and the relevant spatial policy for the area (S1 plus S2, S3, S4, S5 or S6).

8. Arrangements are put in place and included in an appropriately detailed management plan, to ensure the proper management of the site in line with the above policy requirements, in accordance with policy H6.
In planning policy terms the travelling community comprises Gypsies, Travellers and Travelling Showpersons as defined by Planning Policy for Traveller Sites (PPTS 2015). Gypsies and Travellers are defined in the PPTS as ‘Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such’. Travelling Showpersons are defined in the PPTS as ‘Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above’.

In determining whether persons are ‘Gypsies and Travellers’ for the purposes of this policy, consideration should be given to the following issues amongst other relevant matters:

a) Whether they previously led a nomadic habit of life;
b) The reasons for ceasing their nomadic habit of life;
c) Whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

The PPTS requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide 5 years’ worth of Gypsy and Traveller sites against their locally set targets and to identify a supply of specific, deliverable sites or broad locations for growth for years 6 – 10 and, where possible, for years 11 – 15. In order to inform the preparation of local plans, local planning authorities should use a robust evidence base to establish accommodation needs and should set pitch targets which address the likely permanent and transit site accommodation needs of gypsies and travellers in their area, working collaboratively with neighbouring local planning authorities. As such, the borough carried out the Gypsy and Traveller Accommodation Assessment 2016 (GTAA). This indicates that there is no identified need for the allocation of sites to meet the accommodation needs of Gypsies, Travellers and Travelling Showpersons within Newham during the plan period up until 2032. This is mainly because Gypsies and Travellers residing locally no longer lead a nomadic lifestyle and neighbouring boroughs have adequate provision to meet their needs.

In respect of those Gypsies and Travellers who do not lead a nomadic lifestyle, Newham will continue to assess and plan to meet their needs, as part of its wider responsibilities to plan to meet the accommodation needs of its settled community.
In the absence of identified need for additional Gypsy and Traveller sites, in accordance with the PPTS1, Policy H8 is a criteria-based policy which will provide the basis for decisions in the event that planning applications do come forward during the Plan period.

Policy H8, requires development proposals to satisfy a series of criteria that determine the site’s capacity and suitability to provide Gypsy and Traveller accommodation in the configuration proposed.

First, proposals must be accompanied by robust up to date evidence to establish local need, seeking to ensure, in the context of a shortage of development sites and extensive mainstream housing need and in line with equivalent policies H5 and H3, that specialist accommodation for Gypsies and Travellers is only provided to meet identified needs. The Council will ensure that an up to date evidence base in relation to Gypsy and Traveller need is maintained in line with Government guidance. Currently this comprises the GTAA, undertaken using a methodology developed by consultants in accordance with national planning policy and guidance, and evolving case law and Local Plan examination reports, with recognised quality assurance processes. In demonstrating need, should applicants seek to provide further evidence, documentation should be prepared similarly including appropriate demographic modelling. The methodology should be agreed with the LPA.

Secondly, the suitability of the site for use as a Gypsy and Traveller site is an important consideration. Green Belt and Metropolitan Open Land locations will not be acceptable unless very special circumstances exist, as per national and London Plan policy. Moreover, Gypsy-Traveller accommodation as with mainstream housing, requires sites of suitable quality in terms of amongst other things, exposure to noise and other environmental pollutants and availability of supporting infrastructure. Infrastructure requirements will range from conventional servicing such as waste management, to (potentially) specialist utility and communal spaces, and accommodation and access for large vehicles. All such needs should be set out and met on site through the proposed design and necessary management plans, demonstrating that they will deliver appropriate housing quality and highway safety, capacity and environmental quality.

Thirdly, the site should be in a sustainable location and should be in reasonable proximity to local services and facilities. As with other residential development, in order to be considered ‘accessible’, such services and facilities should generally be within a 5 to 10 minute walk (400-800m taking into account barriers). The availability of services and facilities within this distance will be particularly relevant for larger proposals of 5 or more pitches. Community infrastructure needs will include health, education and transport links, but any proposal should set out specific consideration on this point, including any specialist needs.

Finally, to aid the delivery of sustainable communities, and quality place-making, 3 criteria require proposals (as with any development proposals) to consider the amenity of new residents and impacts on surrounding communities or other neighbours/neighbouring land uses such as businesses and open space in line with relevant spatial and design policies. In doing so, regard will be had to community cohesion and good

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1 PPTS paragraph 11
design principles such as integration, ensuring no adverse impacts arise from new development. As with all types of development, Gypsy-Traveller accommodation is expected to contribute to the spatial vision for the area.

**Implementation & Monitoring**

Policy will be implemented via the development management process. Applicants will be encouraged to engage with the Pre-Application service whereby advice can be given amongst other things on the suitability of any proposed needs assessment methodology. Proposals should be accompanied by statements that set out how quality design and place-making considerations have been addressed, together with access requirements within the site and to facilities outside it. A management plan will set out how features such as communal infrastructure are managed on an ongoing basis so as to maintain neighbourliness within and beyond the site and ensure housing quality and amenity for residents. In terms of waste, management plans are expected to have regard to the Waste Management in New Development SPD.

Where appropriate, financial and non-financial planning obligations will be sought in accordance with the Planning Obligations and Development Viability SPD to secure the provision, operation of, and maintenance/management of site specific infrastructure and the mitigation of any environmental impacts arising from development necessary to make the development acceptable in planning terms.

Given that the need for Gypsy-Traveller accommodation is not always confined to particular local authority boundaries, the Council will continue to engage with neighbouring Local Planning Authorities to ensure that sub-regional need is appropriately addressed and provided for. Delivery of specialist housing, including traveller accommodation, will be monitored through the annual Authority Monitoring Report Housing Bulletin.

Monitoring and continuing engagement will inform the review of the evidence base and assessment of whether that evidence base and associated policy remain up to date.
Abbreviations & Glossary

Abbreviations

AMR: Authority Monitoring Report
DPD: Development Plan Document
GTAA: Gypsy and Traveller Accommodation Assessment
IIA: Integrated Impact Assessment
LBN: London Borough of Newham
LDS: Local Development Scheme
NPPF: National Planning Policy Framework
SCI: Statement of Community Involvement
SPD/G: Supplementary Planning Document/Guidance
SoS: Secretary of State

Glossary

The following definitions have been taken from Planning Policy for Travellers Sites (DCLG, 2015) and are specifically for the purposes of planning policy.

Gypsies and Travellers are persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Travelling Showpeople are members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.

Pitch means a residential pitch on a “Gypsy and Traveller” site.