

# **Consultation on Options:**

## **Development Plan Provision for Gypsies and Travellers in Epping Forest District**

**CABINET DRAFT**

National Government has directed that a plan resulting from this consultation is produced by September 2009.



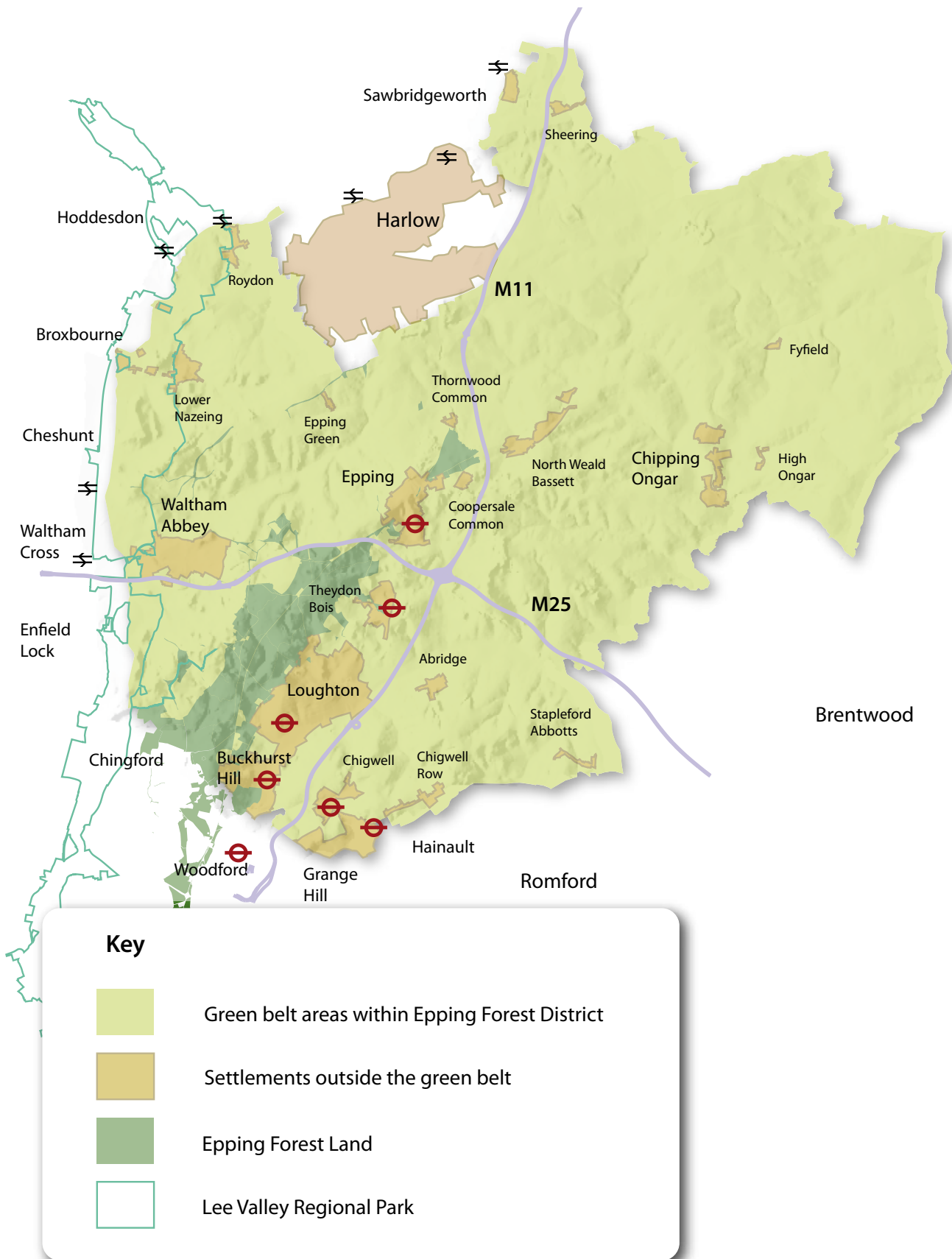
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Figure 1  
Epping Forest District



## A Background

### The Purpose of this Document

The consultation on options seeks your views on, firstly, the strategy to be adopted for additional pitch provision in the district, and secondly potential sites which may be acceptable or otherwise depending in part on which strategy is chosen.

### National and Regional Policy Requirements

- National planning policy requires a significant increase in the number of gypsy and traveller sites in appropriate locations, with a focus on increased provision over the next 3 to 5 years.
  - It aims to ensure that gypsies and travellers should not become homeless through eviction, without having alternative sites to move to.
  - Rural sites are acceptable in principle, nationally protected environmental designations are off limits. Sites outside the green belt must be considered before sites inside the green belt.
  - Local development plans must include land zoned for additional pitches (pitch allocations).
- The Government has directed Epping Forest District Council to produce such a plan by September 2009.
  - A review of the East of England Plan will establish targets for all local authorities in the region.
  - The level has yet to be finalised, and Epping Forest has disputed the draft figure, which is for an additional 49 pitches in the district by 2011 with a 3% annual increase (from planned 2011 levels) in the total number of pitches thereafter, to reflect household growth. On the basis of emerging evidence from research in Essex (Gypsy and Traveller Accommodation Assessment 2008) Epping Forest District estimates the need at 35 pitches (This includes estimates of need from those now living or wanting to live in 'bricks and mortar').
  - National and Regional Policies are summarised in more detail in Appendix 1.

**What has happened so far and how you can influence what will happen next**

- The Council is consulting on ways of meeting the national and regional requirements. You are asked to comment in this document.
- A site suitability study has been undertaken to assess broad areas of the district that are potentially suitable and unsuitable.
- What sites might be suitable and available have been examined within these broad areas. To aid this study a 'Call for Sites' exercise has been undertaken, asking developers and landowners what land might be potentially available.
- Specialist consultancy Myriad has been used to gauge the views of the local Gypsy and Traveller Community. This was done through a DVD and face to face interviews.
- You are encouraged to make comments online at [www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk).
- This consultation paper, and the response form are available from and should be returned to (no stamp needed):

**Epping Forest District Council  
Forward Planning - Gypsies and Travellers Consultation  
Civic Offices, High Street  
FREEPOST CL 3360  
Epping  
Essex CM16 4YA**

- The period for comments will run from **4th November 2008 to 5pm on the 20th January 2009**. Responses cannot be treated as confidential and must be made in a lawful way (see Appendix 2).
- Before making comments you are strongly advised to read through this document which sets out the context for the questions.
- When the Plan is finalised in 2009 and Epping Forest chooses its strategy and sites there will be a period for formal representations. An independent inspector will then determine whether or not the Epping Forest Gypsies and Travellers Plan meets the various legal and policy tests.
- At this stage the inspector will be looking for ways of correcting any deficiencies in the plan, e.g. if a site is unsuitable what better alternative sites exist. We must provide sufficient sites, non-provision is not an option. Representations should be cast with this in mind. For this reason responses solely of a negative nature may have a limited effect. Neither is it appropriate to make representations disagreeing with government policy, these should be directed to the government.
- The Court of Appeal in *N Smith v First Secretary of State* has ruled that fears and concerns of crime from gypsies and travellers sites not supported by evidence are not material planning considerations, they cannot be taken into account '*[Sites are] not like a polluting factory or a bail hostel, likely of its very nature to produce difficulties for its neighbours*' LJ Buxton

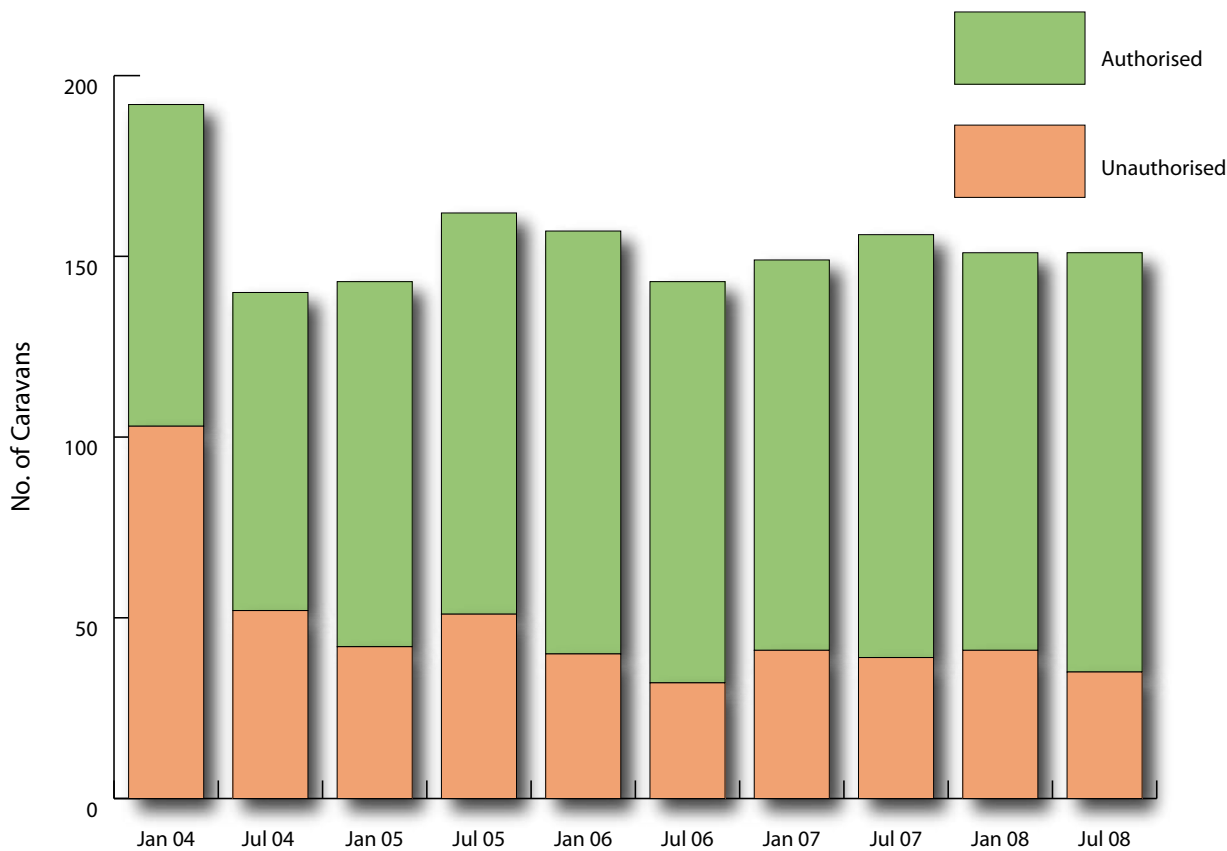
## 1. The Gypsy and Traveller Community in Epping Forest District

### Key Findings from the Myriad Study

- Since 1994 there has been a dramatic decline in the number of unauthorised caravans and a steady rise in the number that are authorised (see Fig 2).
- There was strong suspicion and caution of the motives of Epping Forest District Council, as most contact in the past had been on enforcement issues
- The local gypsy and traveller community is unusually settled, with a significant number living in chalets rather than caravans.
- 20% of the local gypsy and traveller community responded.
- 89% of respondents stated that they would like to live on a private site. Of this group, 68% stated it should be self owned.
- 31% of respondents indicated no requirement for more pitches over the next 5 years. The remainder indicated a requirement for 44 pitches; this sample was affected by two families stating a requirement for six pitches and one for 10 pitches.

- These are aspirations not necessarily needs.
- Respondents found it quite difficult to think about other parts of the district that they would consider moving to. The concept of choice is unfamiliar with general restrictions on site availability and opposition from settled communities. Others simply wished to be allowed to stay where they were particularly if they had children in school.
- In terms of locational preferences for sites, access to healthcare was the most important factor.
- This was closely followed by access to schools. Employability was a significant factor. Access to the countryside and green spaces was also very important particularly for families living in close proximity to one another.
- Having access to a town, yet being away from the 'settled community' was important.

Figure 2 Trends in Bi-Annual Caravan Counts - Epping Forest District



### Pitches

A pitch (also known as a plot) is the area of a gypsy/traveller site where a single family lives in their caravans (trailers).

Pitches may vary from being larger enough for on residential trailer (or mobile home) and one touring (small) trailer to pitches spacious enough to hold one or two larger mobile homes and several 'tourers'; as well as working vehicles.

As the gypsy and travellers community in Essex is fairly settled the presence of tourers is less common although with the shortage of sites pitches tend to be occupied by extended families with often more than one mobile home.

In the East of England there is an average of 1.7 mobile homes per pitch but in Essex the average is 2 per pitch.

For the purposes of this document an average pitch size of 0.1 hectares has been taken to assess site size areas. A figure used across the East of England. Fire safety concerns and functional requirements (amenity unit, large trailer, touring caravan, drying area, lockable sheds, parking space) effectively set a minimum pitch size. Research in Huntingdonshire however suggests that this is on the small side so where there is space sites have been assessed with lower pitch numbers.

## B Strategy

### 2. Possible Objectives of the Gypsies and Travellers Development Plan Document

2.1 All plans need a vision and objectives in terms of how that vision will be brought about. The Core Strategy will set out the vision.

2.2 The following are proposed as objectives:

1. To meet regional requirements for pitch provision for Gypsies and Travellers and to reduce unauthorised encampments;
2. To improve the living conditions of Gypsies and Travellers;
3. To improve the health and educational opportunities of Gypsies and Travellers;
4. To minimise the impact of sites on the countryside and on settled communities;
5. To make provision in areas that will minimise the need to travel; and
6. To protect nationally and internationally designated environmentally sensitive areas.

#### Question 1

#### Objectives

Do you agree with these objectives?

Yes

No

Please give reasons for your answer.

### 3. The Site Suitability Study

#### Key Findings

- The study is intended to inform debate and to provide evidence on those sites that might eventually be selected.
- Across the country, traveller's sites have been pushed to unsuitable and often unhealthy locations such as motorway underpasses, near sewerage works etc. as far away as possible from where other people live. Such sites will be untenable under the new plan making system.
- It took a fresh look and was not constrained by the existing Local Plan (policy H10A and supporting text under para 9.67).
- Areas with major physical and environmental constraints - such as flood risk areas and land protected for nature conservation - were excluded.
- Within the remaining undeveloped parts of the district, factors which might make it suitable were mapped. Four factors were used: access to primary health care; access to primary schools, access to shopping centres; and access to public transport - each factor was given equal weight.
- The resulting map was on a scale of 0-100 with the highest scoring areas being the most potentially suitable. A 'traffic light' system was used to map these, with red being least suitable and green being most suitable.



- Areas along the Roding Valley and Central Line are most 'green' (see fig 7), although potential areas around Loughton & Buckhurst Hill are severely constrained. Areas in and around Epping and to the East of Theydon Bois score well, as do areas in and around Chigwell and Abridge to a lesser degree.
- Also scoring reasonably well are the areas between Roydon and the West of Harlow, around Ongar (which has few constraints bar flooding in part of the area), to the south and north of Nazeing, to the north of North Weald, and around Epping Green. Other rural areas scored less well to varying degrees. Stapleford Abbots scored poorly, and its one bus service is now threatened with withdrawal. The open rural areas in the east of the district scored very badly with very few services, with the limited exception of Fyfield.
- The final suitability mapping was confined to the western parishes, those along and to the south/west respectively of the M11 and M25. This was partly because of the lack of services in the eastern area (with the exception, to a degree, of Ongar) but mainly because in recent years the main pressure for pitches has been from areas most accessible to the main urban area, with its employment opportunities. This is an important shift, as historically agricultural labouring had led to demand in the more remote rural areas.

- The analysis is what it says, it in no way implies that potentially suitable areas will be developed and it also does not and cannot examine intrusion into the green belt or landscape sensitivity and impact. This requires more detailed site/area specific analysis.

## Question 2

### Focus of Search for Sites

Do you agree that the search for sites should be broadly confined to the west and south of the district closest to the main urban areas, rather than the more rural northeast of the district?

Yes

No

Please give reasons for your answer

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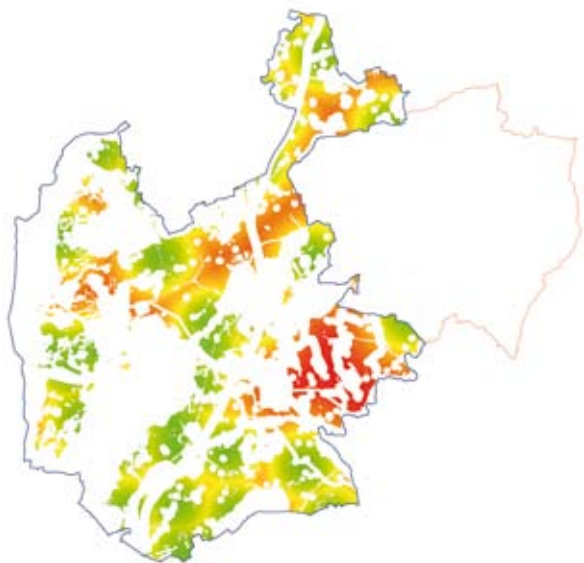


Figure 3 Access to Schools

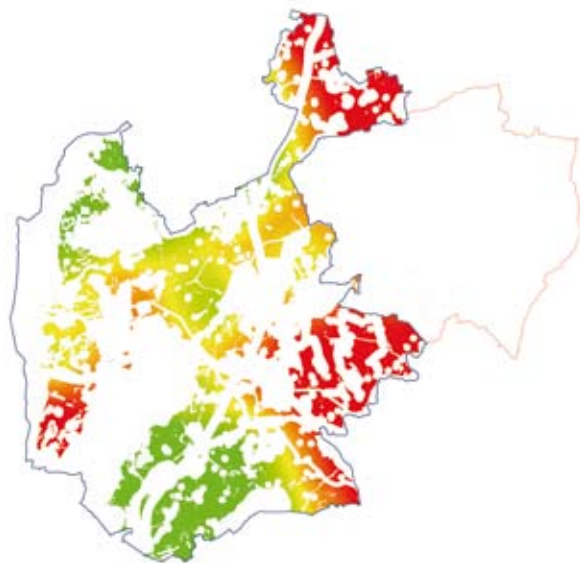


Figure 4 Access to Shops

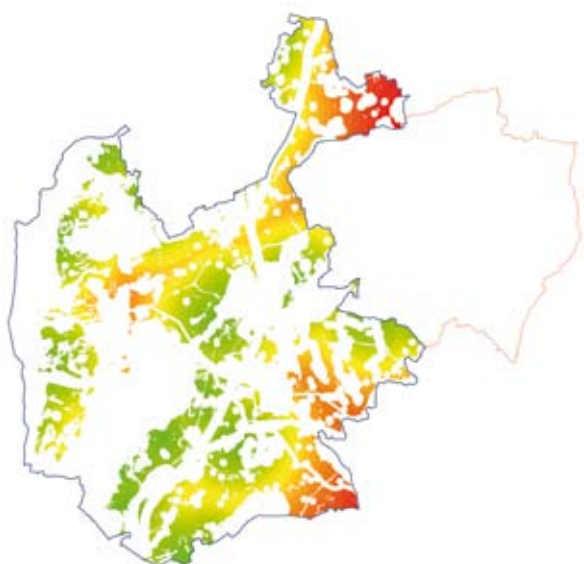


Figure 5 Access to Surgeries

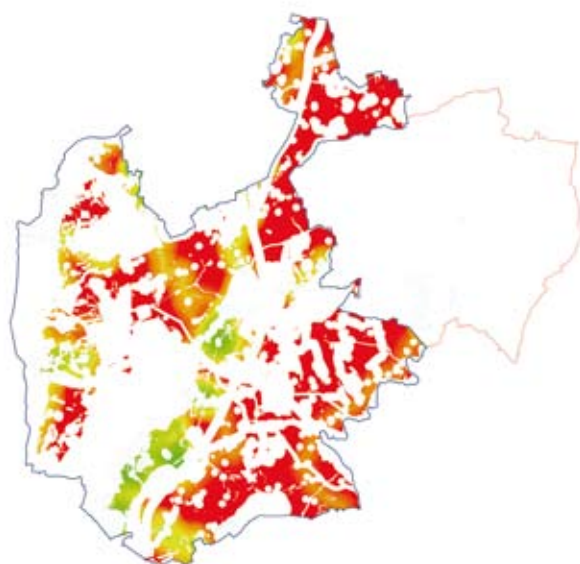


Figure 6 Access to Public Transport

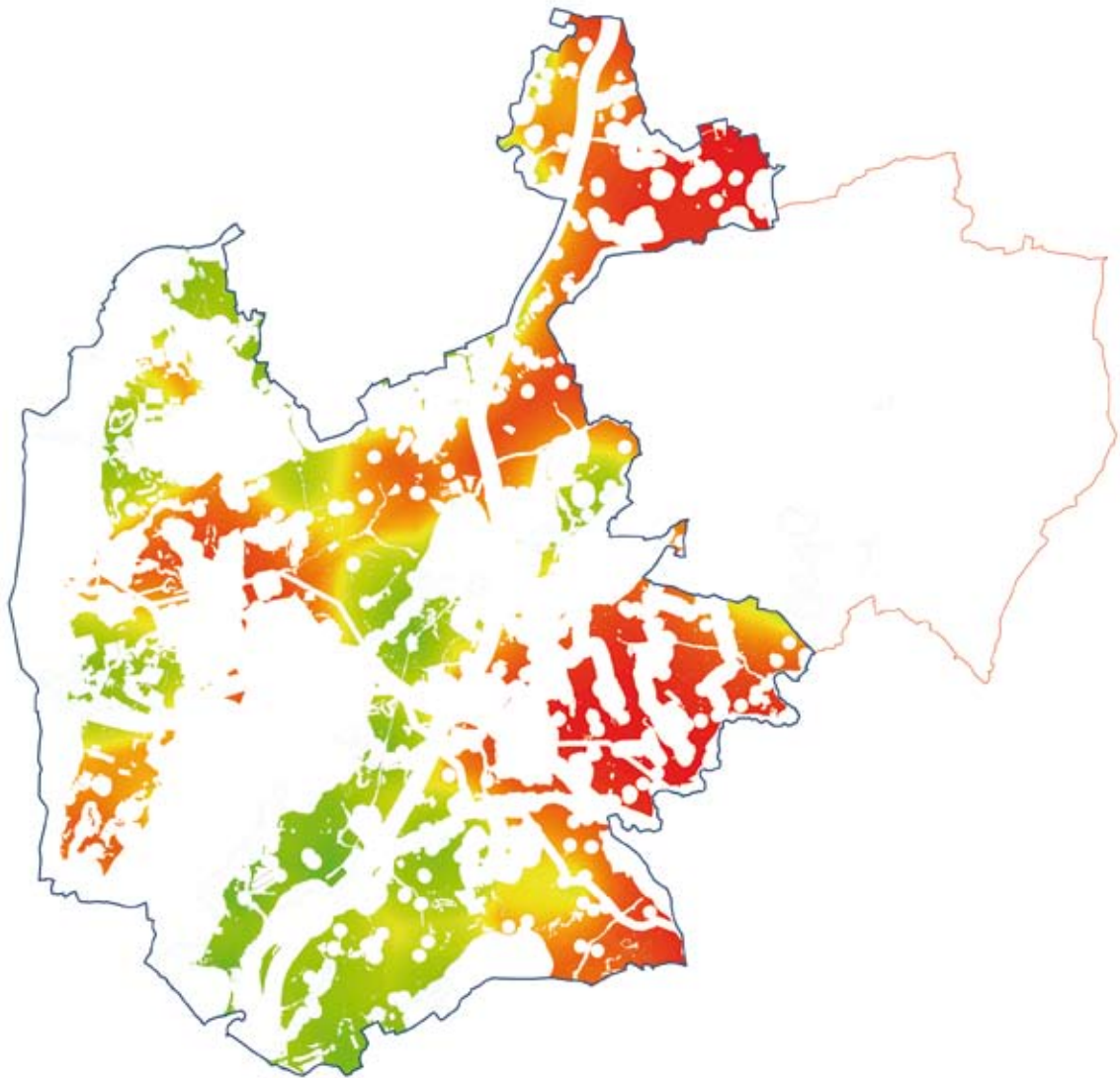


Figure 7 The Suitability Layers Combined - excluding east of District

## 4. The Call for Sites

### Key Issues

- Landowners, developers and others have been asked to put forward sites for consideration. This was done for two reasons:
- Firstly, one of the key tests of government policy concerns the availability of sites; gauging interest of landowners and developers is a key part of this;
- Secondly the new development plans system requires a 'frontloading' of consultation on the key options. That is discussing key spatial options early rather than late in the process.
- All of the sites submitted are being considered on a 'without prejudice' basis and no assumption should be made that submitted sites will necessarily be eventually included in the development plan.
- Very few sites were put forward by the gypsy and traveller community, despite direct engagement with those resident in the district.
- If new sites are proposed as part of this options consultation there will be an additional period immediately following for the public to comment on these.

## 5. Phasing, Scale and Concentration of Sites

### 5.1 Phasing of Provision

#### Phasing Issues

- Phasing is when and how sites are released for development, over time. The East of England Plan Review sets down a frontloading of provision of 49 pitches by 2011 and then a further 57 pitches by 2023.
- The five year temporary permission of 8 pitches at Holmsfield Nursery, Nazeing, shifts the requirement for these 8 pitches to the second phase.
- The recent decisions to permit an additional 6 permanent pitches at Tomary, Hamlet Hill, Roydon, and 4 permanent pitches at Greenleaver, Hoe Lane, Nazeing, leaves a requirement for 30 pitches in the first phase (to 2011) and an overall requirement for 96 pitches by 2023.
- It is prudent to include a contingency for sites that may not come forward. 15 % (about 2 years spare supply) is generally recognised as sufficient - 10 pitches, split equally across phases.
- The increase after 2011 comes from local households, on new and existing sites. This may require the growth of existing sites, but there will be limits on the desirable scale of expansion.

- Whilst the need for expansion will vary from site to site, it is calculated that because of household growth about 40% of provision after 2012 will need to come from expansion of phase I sites, leaving a requirement that 60% of the provision after 2012 be on new sites.

5.2 If these principles are accepted the following phasing results.:

Phase I 2009-2011	34 additional pitches
Phase II 2012-2017	42 additional pitches
Phase III 2018-2023	34 additional pitches
Total Provision 2009-2023	110 additional pitches

### Question 3

#### Phasing of Sites

Do you agree with this proposed phasing of pitch provision?

Yes

No

Please give reasons for your answer

### 5.3 Scale of Sites

#### Site Scale Issues

- Work in the East of England and locally amongst gypsies and travellers has revealed a preference for sites of around 6-15 pitches.
- The draft government guidance on the design of sites for gypsies and travellers also states that smaller sites of 6-12 pitches are most popular with gypsy and traveller communities. It also states 'Sites should not normally exceed 20 pitches'.
- National Circular 1/2006 however, cautions against a rigid upper threshold without considering site circumstances.
- In the district authorised sites have often been very small, typically 1-4 pitches. Unauthorised encampments of a very large scale, 50 or more caravans, became a new issue in the 1990s but none remain or have occurred for several years.
- There is a preference from the district and county, in site management terms, for smaller sites.
- Smaller sites are easier to assimilate in the countryside, but obviously, the smaller the sites, the more have to be delivered, and site availability is a significant issue.

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## Question 4

### Scale of Sites

Which option do you prefer for the typical scale of gypsy and traveller sites?

**Option one** - sites of 1-5 pitches, with potential to expansion to 2-7 pitches (requiring at least 15 additional sites)

**Option two** - sites of 5-10 pitches, with potential to expansion to 15 pitches (requiring at least 5 additional sites)

**Option three** - sites of 16-30 pitches, with potential to expansion to 21-45 pitches (requiring 2-3 additional sites)

Please tick only one box

Please give reasons for your answer

## 5.4 Concentration of Sites - The issue of Roydon and Nazeing

### Concentration Issues

- A particular issue in Epping Forest District is the concentration of sites around Nazeing and to the south of Roydon.
- 11 of the 18 gypsy and traveller sites in the district are in Roydon and Nazeing parishes (one site is unauthorised, one has temporary consent, one is part unauthorised and two are tolerated). This is 75 of the 95 pitches in the district (authorised and unauthorised) - 79% of all pitches (81% once two new permissions are implemented).
- This concentration seems to be because of the proximity of the area to the main urban areas, and also because of the concentration of the glasshouse industry, and the availability of small plots of land, glasshouse and chalet plots.
- There is a particular concentration in the Sedge Green and Roydon Hamlet areas, and to a lesser degree in Bumbles Green/Long Green.
- The potential impact of an over-concentration of sites, and the impact on settled communities, are clearly important issues.
- On the other hand, parts of this area are accessible to schools and other services, are close to the built up area, and have some public transport. With the exception of the Lee Valley Regional Park and areas of flood risk, it also may have a number of other potentially suitable sites. A number of tolerated sites in the area may also be suitable for granting permanent consent.



### Question 5

#### Concentration in Roydon and Nazeing Area

Which option do you prefer?

**Option one** - No special restriction, sites in this area considered on their merits

**Option two** - Restriction on new sites in the Roydon Hamlet/Hamlet Hill, Sedge Green and Bumbles Green/Long Green areas, but authorisation of tolerated sites and expansion of existing suitable sites.

**Option three** - No further permissions granted in the whole of the Roydon and Nazeing areas.

Please tick only one box

Please give reasons for your answer

## 6. The Three Main Potential Strategies

6.1 In order to determine which sites should be taken forward, it is necessary to identify the broad locations in which sites would be acceptable.

6.2 The possible strategies considered below will all be deeply constrained by the availability of sites.

### 6.3 Edge of Urban Areas/Urban Extensions - Strategy Option 1

6.4 In this option, the most accessible and sustainable locations, e.g. around Harlow, would be used. But because of the 'frontloading' of provision in the East of England Plan before 2012 Harlow extensions may come too late for the first phase.

6.5 It makes sense that the identification of specific locations and planning for such sites takes place as part of the more detailed planning of these areas.

6.6 Elsewhere, any urban extension might not be needed until towards the end of the plan period, although with the frontloaded regional targets, site availability would be a significant issue with this option.

### 6.7 Rural Areas close to Chigwell, Abridge, Waltham Abbey, Epping, Epping Green, Theydon Bois and North Weald Bassett - Strategy Option 2

6.8 Under this option, sites would be allocated according to the results of the Site Suitability Study (see section 3), in areas with the best access to services and least environmental harm. Provision would be focussed in areas close to this list of settlements which scored highest in the study.

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## 6.9 Wider Distribution Option - Option 3

6.10 In this option, locational strategy would be something of a back seat concern. A more distributed pattern would be sought, potentially across all, or a large part, of the district.

### Question 6

#### The Main Possible Strategies

Which option do you prefer?

**Option one** - Edge of Urban Areas/Urban Extensions Option

**Option two** - Rural Areas close to Chigwell, Abridge, Waltham Abbey, Epping and Epping Green, Theydon Bois and North Weald Bassett

**Option three** - Wider distribution throughout the district

Please tick only one box

Please give reasons for your answer

## 7. The Site Search Sequence

7.1 The purpose of the sequence is to minimise the release of rural greenfield sites. The following sequence, in descending order of priority, is in line with guidance in Circular 1/06.

- Urban previously developed (brownfield) sites.
- Sites close to the urban edge provided as part of any wider urban extension.
- Rural previously developed sites not at the urban edge in locations with suitable access and services.
- Followed by, other rural sites in locations with suitable access and services.

### Question 7

#### Site Search Sequence

Do you agree with the above proposed site search sequence?

Yes

No

Please give reasons for your answer