

Review of SG SHN3: Gypsies/Travellers

1. Introduction

- 1.1 The purpose of this paper is to examine SG Special Housing Needs 3: Gypsies/Travellers in light of changes in the national policy and local context. It will consider whether it meets the requirements of Scottish Planning Policy and other national planning documents, and whether it forms a sound basis for a policy for making planning decisions on development of Gypsy and Traveller sites in Aberdeenshire.

2. Approach

- 2.1 SG SHN3 is designed to ensure that development proposals for Gypsy and Traveller sites are located on land specifically identified for that purpose in the development plan. SG SHN3 is also designed to accommodate new and arising need for Gypsy and Traveller sites.
- 2.2 SG SHN3 is designed to respond to the HoNDA and the LHS and reduce the number of unauthorised encampments by meeting need. The need for Gypsy /Traveller transit sites and halting sites is identified in settlement statements in the ALDP and it is proposed that land will be provided to be made available through the development of identified mixed use sites at Elsick and Blackdog and of employment allocations at Thainstone/Crichie and Ellon.
- 2.3 SG SHN3 and the reasoned justification do not give sufficient clarity as to how allocated Gypsy/Traveller sites are brought forward to reduce the number of unauthorised encampments. There is little detail about at what stage in the development plan process land is developed and by whom. This does not give certainty to the Gypsy and Traveller community or settled communities as intended.
- 2.4 The reasoned justification explains that if the halting site provision through the LDP is found to be 'insufficient' then new halting sites can be justified. This situation could be given further clarity as SG SHN 3 does not require that all LDP sites are developed before other sites come forward. If evidence can be provided for a newly arising need then a site will be supported by SG SHN3.

3. Background

National context

National Planning Framework 2

- 3.1 Planning authorities are required to take the framework into account when preparing development plans and it is a material consideration when determining a planning application. National Planning Framework (NPF2) guides Scotland's development to 2030, setting out strategic development priorities to support the Scottish Government's central purpose - sustainable economic growth. Gypsy and Traveller accommodation is not a strategic development priority.

Scottish Planning Policy (SPP)

- 3.2 Scottish Planning Policy (SPP) is the statement of the Scottish Government's policy on nationally important land use planning matters. SPP was adopted in February 2010 and replaces the previous SPP3 Planning for homes. The policy will be updated before the end of 2013, currently "priorities for change" is out for consultation.

- 3.3 Other housing requirements is identified as one of the headings in the “Housing” subject policy contained within SPP. The SPP states:

“Development plans should address the housing needs of sections of the community such as Gypsies and Travellers and Travelling Showpeople” Scottish Government 2010:para 89, pg18)

- 3.4 SG SHN 3 addresses the housing needs of Gypsies and Travellers. The policy supports allocated sites as well as providing flexibility for other sites to come forward to meet arising need. SG SHN 3 also contains criteria which enables small private sites to be considered. In this way SG SHN 3 supports the SPP and provides opportunity for the Gypsy and Traveller communities to become involved.
- 3.5 SG SHN3 acknowledges Travelling showpeople as a separate community from the Gypsy and Traveller communities and accounts for their different needs. The SPP asserts that “Showpeople require permanent sites for accommodation and storage and maintenance of equipment” Scottish Government (2010:para 91, pg18). Based on research it was found that in Aberdeenshire that Showpeople occupied sites on a much more temporary basis and incidental the primary use of an open space, so would not require permission. It was suggested that Showpeople in the region are fairly proactive and will approach the council with proposals. In cases where more permanent sites are suggested by Showpeople SG SHN3 is sufficiently robust enough to assess their appropriateness.

Strategic/regional context

Proposed Aberdeen City and Shire Strategic Development Plan

- 3.1 The current Aberdeen City and Shire Structure Plan (2009) will be replaced by The Aberdeen City and Shire Strategic Development Plan in June 2013. The proposed Strategic Development Plan focuses on nationally or regionally important planning issues as well as planning issues that are best dealt with in a co-ordinated manner with City and Shire Councils working together.
- 3.2 The proposed Strategic Development Plan, under the heading “Sustainable Mixed Communities” asserts that “It is important that new development meets the needs of the whole community, including the specific needs of Gypsies / Travellers” (SDPA, 2012:36). SG SHN3 helps support allocated Gypsy/Traveller sites which are brought forward with major housing and business allocations in order to promote sustainable mixed communities.

Aberdeen City and Shire Strategic Development Planning Authority, Main Issues Housing Need and Demand Assessment, update March 2011

- 3.3 The Scottish Government requires that development plans and local housing strategies are informed by the preparation of a housing need and demand assessment (HoNDA). The HoNDA seeks to provide the evidence base to inform the new Strategic Development Plan and Aberdeenshire’s Local Housing Strategy.

- 3.4 The HoNDA identifies that there may be specific housing requirements for Gypsies and Travellers as well as Travelling show people. There are around 50 Gypsy Traveller households in Aberdeenshire. The HoNDA calls for both Aberdeen City and Aberdeenshire Councils to allocate Gypsy/ Traveller 'Transit sites' in local development plan allocations to satisfy insufficiencies in the current supply of this kind of accommodation and to reduce the number of illegal encampments in the region. The HoNDA does not identify any further requirements for Travelling Showpeople as there appears to be no current demand for permanent or off season accommodation of this nature.

Aberdeenshire Local Housing Strategy 2012-2017

- 3.5 Aberdeenshire Council is required by law to produce a Local Housing Strategy (LHS) informed by Housing need and demand assessment. The LHS provides strategic direction to tackle Housing Need and Demand. The LHS identifies that the main issue for Gypsy and Travellers is the current 12 pitch shortfall which has contributed to an overall rise in unauthorised encampments.
- 3.7 Strategic outcome statement 6 states "Minority Ethnic Communities, including Gypsy/ Travellers will have access to appropriate land, housing and support encouraging social integration" Aberdeenshire LHS (2012). Key Action 4 is to Provide a stopover site every two years it also calls for management of stopover sites and established sites effectively. Currently the Aberdeen City and Shire housing authorities are working together to accommodate this provision within existing sites at Clinterty and options are being looked at in North Aberdeenshire. SG SHN3 is compliant with the LHS as it supports development of allocated sites and also supports development of sites where a newly arising need has been proven.

Aberdeen City and Shire Gypsy/ Traveller ISSUES Working Party Strategy: Good relations between Settled Communities and Gypsy /Travellers (March 2011)

- 3.8 A working party was set up to consider how best to improve community relations between Gypsies/Travellers and the Settled Community in Aberdeen and Aberdeenshire Council areas. The Working Party identified that there was an issue with unauthorised encampments in the region and that this was due to pressure created by inadequate site provision. The Party identified key themes A-F.
- 3.9 Key theme B: Enhance the current site provision and capacity identifies 6 outcomes, two of which would be assisted by planning policy and delivered through the Local Development Plan. Outcome 1 action b calls for confirmation of the potential to utilise Council owned land for additional provision with reference to local development plans. SG SHN 3 does not give any information on this topic and it is not contained elsewhere in the plan. Action d asks councils to deal effectively with planning applications for sites submitted by the Gypsy and Traveller communities. SG SHN 3 supports applications from the Gypsy and Traveller communities as the policy enables assessment of small private sites and sites other than those allocated in the LDP. The policy could be more explicit and say that applications by members of Gypsy or Traveller Communities will be welcomed. Outcome 2 suggests the development of a feasibility plan designed to deliver a network of transit sites (4 or 5) in Aberdeenshire in the longer term consistent with the LDP. The reasoned justification of SG SHN 3 refers to land that has been identified and allocated in the LDP for halting and explains that the appropriateness of these sites has been scrutinised through the development plan process.

- 3.10 Key theme F: Identify key elements of a long term strategy to consolidate initial gains and future planning for improved community relations, also calls for development of transit sites through the LDP process in outcome 1 action a. Outcome 2 calls for a reduction in unauthorised encampments and proposes action a to continue to bring forward proposals for increasing capacity through the development of new and or existing sites. SG SHN 3 in general supports this action. However the policy does not facilitate the extension of existing sites.

4. Drivers of change

- 4.1 There are continued issues with unauthorised encampments due to an ongoing identified shortfall in halting/transit sites.
- 4.2 There will be new allocations of Gypsy and Traveller sites in the next ALDP.
- 4.3 Demand for halting and transit sites will change over time and fluctuate on a seasonal basis.

5. Recommendations

- 5.1 The reasoned justification should be amended to promote bringing forward of sites by the Gypsy and Traveller communities themselves. The reasoned justification should also be reworded to state:

*If the halting site provision allocated through the LDP is found to be insufficient **or inappropriate**, then the need for further halting sites will be apparent and new halting sites will require to be found **and may be brought forward by members of the Gypsy and Traveller Communities**. They should be judged using the criteria identified in the supplementary guidance.*

This will ensure that Gypsy and Traveller communities are aware that they can select and bring forward sites themselves.

- 5.2 Further detail should be included in the reasoned justification about how sites are brought forward. It is proposed that the allocated sites in the LDP will be leased to the council for the duration of the LDP period. The council will put in access and services to the sites making them available to Gypsies and Travellers. With the approval of the next LDP in 2016 other halting and transit sites will be identified and once these are brought forward existing sites will be handed back to the developer.
- 5.3 A statement needs to be made as to whether Council owned land could make an additional contribution to Gypsy and Traveller sites. If this approach was taken it is suggested that need can be proven and points a-e in SG SHN3 can be satisfied.
- 5.4 There is not currently an identified need to extend Gypsy or Traveller sites in the region. However it is suggested that SG SHN3 could include a sentence in the reasoned justification stating this and possibly the commitment to produce planning advice on the topic should the situation arise.

6. Summary of main points

- 6.1 No major changes to SG SHN3 are recommended apart from minor rewording and some further clarification about how sites may be brought forward. SG SHN3 is sufficiently robust that it will support future development for Gypsy and Traveller sites as and when need arises.

7. References

Aberdeenshire Council (2012) Aberdeenshire Local Development Plan 2012

Scottish Government (2010) Scottish Planning Policy

Scottish Government (2009) National Planning Framework 2

Strategic Development Planning Authority (2009) Aberdeen City and Shire Structure Plan

Strategic Development Planning Authority(2011) Housing need and demand assessment

Strategic Development Planning Authority (2012) Proposed Aberdeen City and Shire Strategic Development Plan

Aberdeenshire Council (2012) Local Housing Strategy 2012-2017

Aberdeen City and Shire Gypsy/ Traveller ISSUES Working Party (2011), Aberdeen City and Shire Gypsy/ Traveller ISSUES Working Party Strategy: Good relations between Settled Communities and Gypsy /Travellers