

Crawley

Local Plan

Crawley Borough Local Plan Examination

Crawley Borough Council Response to Inspectors' Matters, Issues and Questions

Matter 3: Housing Needs *(Issue 2: Gypsies, Travellers and Travelling Showpeople Accommodation Needs)*

December 2023



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Issue 2: Whether the assessment of housing and accommodation needs of Gypsies, Travellers and Travelling Showpersons is sound.

- 3.8 Question 3.8: Is the plan supported by an up-to-date assessment of the needs of Gypsies, Travellers and Travelling Showpersons that is consistent with national policy?
- 3.8.1 Crawley Borough Council (CBC) has published an up-to-date Assessment of the needs of Gypsies, Travellers and Travelling Showpersons (Post-Submission Document Reference: PS/H/HN/06). This has been prepared in accordance with national policy, Planning Policy for Traveller Sites, 2015 (Post-Submission Document Reference: PS/H/HN/07).
- 3.8.2 Paragraph 7 of national planning policy for Traveller sites, confirms that in assembling the evidence base necessary to support their planning approach, local planning authorities should:
- a) pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves, their representative bodies and local support groups);
 - b) cooperate with travellers, their representative bodies and local support groups; other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of their development plan, working collaboratively with neighbouring local planning authorities;
 - c) use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions.
- 3.8.3 The Assessment has been reviewed and revised throughout the Local Plan Review preparation process and has remained an open "draft" document until the final interviews had been carried out. Earlier versions of the draft Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessments (GTTS ANA) were available with every stage of formal public consultation carried out on the Local Plan. In particular, an update was published in:
- January 2021 (Submission Document Reference: H/HN/04); and
 - May 2023 (Submission Document Reference: H/HN/03).
- 3.8.4 It was further updated following the final, Further Publication Consultation, May – June 2023, ahead of the Local Plan submission in July 2023 (Submission Document Reference: H/HN/02).
- 3.8.5 Representations made to the Local Plan in relation to Gypsy, Traveller and Travelling Showpeople sites were considered when preparing the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01). These are summarised in the Crawley Local Plan Consultation Statement (Submission Document Reference: KD/CS/01a). The representations are set out verbatim in the relevant appendices to the Consultation Statement (Submission Document References: KD/CS/01c; KD/CS/01e; KD/CS/01h; and KD/CS/01j). How the representations were taken into account is summarised in the Officer responses to

Crawley Borough Local Plan Review Representations Summaries, pages 27, 54 and 95 (Examination Document Reference: CBC/KD/CS/01k). In particular, the representations advised the preparation of the GTTS ANA, pages 14, 22, 31, and are set out in full in Appendix H, pages 60-80.

- 3.8.6 The methodology used to undertake the GTTS ANA is set out in Chapter 2, pages 11-14, of the final document. It built on the previous study which was prepared to support the adopted Crawley Borough Local Plan, December 2015 (Submission Document Reference: CBLP/02). This is because the Local Plan Review was not attempting to start from a blank page, but instead update a sound and effective, adopted Local Plan.
- 3.8.7 CBC undertook a desk-based review of the datasets to understand Crawley's Gypsy, Traveller and Travelling Showpeople population, this included understanding the population size from the 2021 Census, a review of sites, analysing the encampment and unauthorised traveller site information, along with the housing, homelessness and planning data.
- 3.8.8 Critically, the Gypsy, Traveller and Travelling Showpeople community within Crawley is predominately found in bricks and mortar accommodation, along with some small individual family pitch and plot sites within the north of the borough (in the land between Crawley and Gatwick Airport, and safeguarded for a potential future southern runway).
- 3.8.9 CBC previously surveyed and interviewed Traveller families within bricks and mortar, through contacts from previous council officers – the information secured from this was retained for the updated Assessment. In addition, as part of the update, the council engaged directly with families living on pitch sites within the borough. Advice was sought from the Traveller liaison groups and the West Sussex County Council Gypsies and Travellers Team Manager who works closely with the Travellers in the county. In addition, the council has worked collaboratively with neighbouring authorities in assessing Gypsy, Traveller and Travelling Showpeople's needs, as set out in response to Question 3.10 below.
- 3.8.10 The fact that the majority of the community live in bricks and mortar accommodation creates specific difficulties for the council in undertaking the GTTS ANA (see pages 22-23) as these Traveller families could not be identified for surveys or interviews for the 2023 update. Whilst they had previously been identified through CBC contacts, this is no longer a role carried out by the council. Furthermore, the Traveller families in the borough do not live within Crawley Homes housing stock, and their information is not available to the council, particularly in light of data protection laws.
- 3.8.11 The Assessment outcomes take these limitations into account in order to understand the likely permanent and transit accommodation needs of the borough over the lifespan of the development plan and ensure a robust evidence base to establish accommodation needs for the Local Plan, as set out in pages 25-26.

- 3.9 Question 3.9: Does the assessment of need take account of those who may have ceased travelling but seek culturally appropriate accommodation, having regard to equalities issues raised in the recent Lisa Smith judgment²?
- 3.9.1 The definitions, set out on Page 10 of the GTTS ANA, November 2023 (Post-Submission Document Reference: PS/H/HN/06) confirms the assessment of need includes those who have ceased to travel temporarily or permanently. The travelling status of the respondent is not questioned in the survey used to identify the Traveller accommodation needs within the borough.
- 3.9.2 The GTTS ANA 2014, prepared under the 2012 Planning for Traveller Sites policy statement, included those Travellers who had ceased travelling permanently but sought culturally appropriate accommodation. As part of this original assessment, the council surveyed those Traveller families within the borough who lived within bricks and mortar and concluded that whilst none of the families at that time requested pitch sites, there may be a need in the future (pages 21-22 and 24 of the 2023 GTTS ANA). On this basis, growth rates were applied and a calculation as to the potential level of pitch sites within the borough over the Plan period was generated.
- 3.9.3 Despite the council not being able to re-interview the families within bricks and mortar accommodation for the 2023 update of the GTTS ANA, the assessment continues to take these families into account (see pages 25 and 26).
- 3.9.4 The evidence from the preceding years since the Local Plan adoption in 2015 indicates that the need has not arisen from new households emerging from the Traveller families within bricks and mortar accommodation. However, the Assessment concludes that the potential future 'needs' of Gypsy and Traveller families both living within bricks and mortar accommodation and from the sites which have applied for temporary planning permission necessitate the continued allocation of a 'reserve' Traveller site in the Local Plan (page 26).
- 3.9.5 The allocation of the Broadfield Kennels reserve Traveller Site is for permanent residential pitches, as opposed to a Transit site. The criteria suggested for an allocations policy for pitches (set out in Section 6, page 35) does not include the requirement for a travelling lifestyle. Instead, it acknowledges the opportunities for the families being located close to the borough's services and facilities, particularly health and education, as well as regular employment.
- 3.10 Question 3.10: Is there a risk that need is being under-recorded because of historically constrained supply / lack of sites in the Borough?
- 3.10.1 Crawley Borough Council (CBC) has undertaken every step to seek to understand the full accommodation needs of the Traveller families within the borough.
- 3.10.2 The adopted Crawley Borough Local Plan (Submission Document Reference: CBLP/02) allocated a site, despite there not being any identified immediate need for a Traveller site: adopted Local Plan Policy H5: Gypsy, Traveller and Travelling Showpeople Sites, pages 85-87.
- 3.10.3 The updated Crawley Gypsy, Traveller and Travelling Showperson Accommodation Needs Assessment (GTTS ANA), November 2023 (Post-Submission Document

² Lisa Smith v SSLUHC, North West Leicestershire DC et al [2022] EWCA Civ 1391

Reference: PS/H/HN/06) confirms that there has been no evidence in the period since the adoption of the Crawley Borough Local Plan in December 2015, for this site to be brought forward as a Traveller site. No requests have been made to the council for publicly owned traveller pitch sites, despite the reserve site allocation at Broadfield Kennels – this has included through the Housing Register, Homelessness applications as well as through the Local Plan Review process.

- 3.10.4 In addition, the adopted Local Plan policy contains criteria for proposed alternative sites to be assessed against. Two applications have been submitted through the planning application process, both on small, privately owned family sites, without any further request for an alternative site. The families on one of these sites relocated from a publicly run pitch site in Kent, outside of the borough, on to an unauthorised site within Crawley that they purchased privately. The other site has historically been granted temporary planning permission for the purposes of a private Traveller pitch site, with an application currently under consideration for a renewal of this permission.
- 3.10.5 The council works closely with its neighbouring authorities through the Duty to Cooperate, particularly the Northern West Sussex Authorities (Horsham and Mid Sussex District Councils) and the Gatwick Diamond Authorities (the Northern West Sussex Authorities, along with the East Surrey Authorities: Epsom and Ewell and Reigate and Banstead Borough Councils and Mole Valley and Tandridge District Councils). The surveys used were originally agreed by all the Gatwick Diamond authorities (page 11, GTTS ANA, November 2023). This includes questions on where the families previously lived and where they would like to move to. This ensures that CBC is aware of the needs emerging from the wider area and if needs arising from Crawley were being met elsewhere.
- 3.10.6 The details and outcomes of the discussions are set out in the Crawley Duty to Cooperate Statement, July 2023 (Submission Document: KD/DtC/01). In addition to the cooperation and outputs set out in Table 3.3, the Crawley Duty to Cooperate Statement includes the action for ongoing joint working to continue to understand the evolving nature of the travelling families within the borough and the interactions across the wider area. Statements of Common Ground agreed with neighbouring authorities include references to these discussions and agreements and confirm each authority is seeking to meet its own needs for G&T accommodation:
- Crawley Borough Council and Mid Sussex District Council Statement of Common Ground, Submission Document Reference: SoCG/08;
 - Crawley Borough Council and Reigate and Banstead Borough Council Statement of Common Ground, Submission Document Reference: SoCG/09;
 - Crawley Borough Council and Mole Valley District Council Statement of Common Ground, Submission Document Reference: SoCG/10;
 - Crawley Borough Council and Arun District Council Statement of Common Ground, Submission Document Reference: SoCG/11; and
 - Crawley Borough Council and Tandridge District Council Statement of Common Ground, Submission Document Reference: SoCG/13.
- 3.10.7 Horsham District Council had indicated in the Statement of Common Ground with Crawley Borough Council, July 2023 (Submission Document Reference: SoCG/07)

that it was undertaking its needs assessment and may conclude it was unable to meet its needs within its district. However, the Statement of Common Ground confirmed that there was no formal request from either authority to assist with meeting the other's GTTS needs on a cross-boundary basis at the point of the Crawley Borough Local Plan submission (July 2023). The Horsham District Plan Regulation 19 December 2023 has been published ahead of its Cabinet and Council meetings. This confirms Horsham will seek to meet the identified current and future accommodation needs of Gypsies, Travellers and Travelling Showpeople in Horsham District (Strategic Policy 43, page 148, Horsham District Council Extraordinary Council Meeting, Monday 11 December, Agenda Item 5, Appendix 1 Horsham District Local Plan Regulation 19 December 2023).

- 3.10.8 In addition, CBC works with West Sussex County Council and the West Sussex authorities to address the transit needs of Gypsies and Travellers. This work has resulted in the provision of a shared Transit site in Chichester district but serving the whole of West Sussex (reflecting the majority of the transit demand is near the coast). CBC is part of an agreement with the West Sussex authorities to provide a capital and revenue contribution towards the development, management and maintenance of this site which was established in 2015.
- 3.11 Question 3.11: Have reasonable efforts been made to engage with gypsy and traveller households in Crawley, including those who may be residing in 'bricks and mortar'? Are the sample sizes of households interviewed robust and is the GTAA informed by regular, reliable caravan counts, including any unauthorised encampments?

Bricks and Mortar Traveller Households Engagement

- 3.11.1 Crawley Borough Council (CBC) has sought to engage all Traveller families within the borough as part of the Accommodation Needs Assessment. For the 2014 Accommodation Needs Assessment, it was possible to identify some Traveller families within Crawley living within Bricks and Mortar accommodation.
- 3.11.2 As explained in the updated Crawley Gypsy, Traveller and Travelling Showperson Accommodation Needs Assessment (GTTS ANA), November 2023, page 23 (Post-Submission Document Reference: PS/H/HN/06) this has not been possible to replicate as part of the review of the ANA.
- 3.11.3 Initially, Covid-restrictions prevented all face-to-face interviews for the earlier update (in 2021). Following this, for 2023 Survey, data restrictions prevented following up with families previously interviewed in 2014. A lack of internal council information, including no residents identified as Travellers within Crawley Homes accommodation, meant it has not been possible to identify any families from Traveller heritage within bricks and mortar accommodation in Crawley.
- 3.11.4 Instead, the information used from the previous 2014 Survey has been retained. No evidence to suggest that the outcomes in 2014 do not continue to reflect views and aspirations; there has been no manifestation of any demand for pitches from this community at all at any stage and in any forum.

Traveller Households on Pitch Sites Engagement

3.11.5 In addition, new surveys were sent to all the families within Crawley currently living on pitch sites. Two families responded and agreed to undertake interviews with council officers. One of these was carried out face-to-face and the other via the telephone, both at the request of the families as their preferred method of engagement. The feedback received from these interviews has been summarised in the final November 2023 GTTS ANA, page 24.

Sample Size

3.11.6 The 2021 Census confirmed that the number of individuals who identify themselves as 'White: Gypsy or Irish Traveller' living within Crawley is 103. Furthermore, 337 individuals identify themselves as 'White: Roma' and no individuals identified as 'White: Other Traveller' or 'Other Ethnic Group: Roma'. Whilst this has increased since the 2011 Census which indicated 77 individuals identified as 'White: Gypsy or Irish Traveller', it still remains a limited overall number within the borough.

3.11.7 In Crawley, the majority of the travelling community population is known to be housed within bricks and mortar accommodation. In 2014, the GTTS ANA estimated approximately 30 Traveller families within the borough. The initial surveys were carried out with 13 of these households, with 15 refused and two not responding. This represents a sample size of approximately 43%. The detailed interviews were then carried out with those families who had indicated in the initial survey an interest in pitch site provision. Out of the seven families, four agreed to participate in the interview (57%). The sample size being small reflects the limited number of Traveller households within the borough. Although this was a small sample size, the interviews provided an in-depth snapshot of some of the issues being faced within the GTTS community (page 22, GTTS ANA, November 2023).

3.11.8 Census 2021 data suggests that 13 households within Crawley reside within a caravan or other mobile or temporary structure accommodation type. This includes six Gypsy and Traveller households residing on three private sites in caravan accommodation, and three Travelling Showpeople households sharing a single site within the borough, as identified through the GTTS ANA.

3.11.9 Letters were sent to those families known to the council to be living in caravan accommodation on pitch sites (page 23, GTTS ANA, November 2023). Two households responded (33%). Similar to the Bricks and Mortar Traveller family sample size this reflects the limited number of the Traveller families within the borough. However, the information gathered through the interviews is considered to be valuable to the GTTS ANA process and identifying the key messages for the Local Plan to consider, despite its limitations in sample size.

Caravan Counts and Unauthorised Encampment Data

3.11.10 CBC receives the annual caravan count and unauthorised encampment data from West Sussex County Council. This information is set out in Section 3, pages 15-19, and Appendix A, page 39, of the GTTS ANA, November 2023.

3.11.11 This information is provided from 2014/15, at the point of the examination of the previous Local Plan, December 2015. The only gap in the data is due to the lockdown restrictions caused by Covid-19 pandemic in 2020/21. For this year, only information regarding encampments in Crawley are known, with the West Sussex-

wide data not being available, nor the total number of days or number of caravans for the encampments within Crawley.

3.12 Question 3.12: Is the conclusion of no immediate need, in years 1-5, justified? Is there evidence of immediate need, including from temporary consents in the Borough and potentially any wider unmet need in West Sussex?

No immediate need (years 1-5)

3.12.1 Crawley Borough Council (CBC) believes that there is no immediate need, in years 1-5, for a publicly run traveller site.

3.12.2 As the number of pitch requests for the 8-year period since the adoption of the Local Plan 2015 has been zero, it can be concluded that the original 2014 Future Projections calculation, Crawley Gypsy, Traveller and Travelling Showperson Accommodation Needs Assessment (GTTS ANA), November 2023, page 25 (Post-Submission Document Reference: PS/H/HN/06) over-predicted the number of pitches required over the Plan period (2015 – 2030).

Temporary Consents

3.12.3 The GTTS ANA, November 2023, pages 19-21, sets out the planning data in the period since the adoption of the Crawley Borough Local Plan, December 2015 (Submission Document Reference: CBLP/02). This confirms that two sites have been subject to planning applications.

3.12.4 Each of the sites contain two pitch sites. They are privately owned family sites, accommodating extended families.

3.12.5 One received temporary permission in 2018, and is currently being considered for a renewal of this, and the other is currently waiting an appeal decision. Both of these sites are located within the land safeguarded for potential further runway expansion to the south of Gatwick Airport, and so would not be considered suitable for permanent permissions.

Wider unmet need in West Sussex

3.12.6 As set out in the council's response to Question 3.10 (paragraphs 3.10.5-3.10.7 above), through the Duty to Cooperate, at the point of submission of the Local Plan, CBC was not aware of unmet needs arising from neighbouring authorities which would suggest a requirement for the borough to meet additional needs. Agreements set out in the Statements of Common Ground confirm each authority should seek to meet its own Gypsy and Traveller needs arising from within its administrative boundaries.

3.12.7 It should also be noted the significantly, physically constrained nature of Crawley borough in comparison with the neighbouring authorities (notwithstanding Green Belt restrictions faced by the authorities located in Surrey). On this basis, the GTTS ANA confirms that it is not possible for the borough to take additional traveller needs from outside of the borough (pages 25-26).

Approach of the Local Plan

3.12.8 However, the GTTS ANA, November 2023, page 25, confirms in light of the two existing sites without current planning approval and the homelessness and housing register records, it is considered there remains a potential future need for up to 10

pitches, allowing for some contingency and resilience including extending beyond the Plan period.

- 3.12.9 On this basis, the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) retains the reserve Traveller site at Broadfield Kennels, through Policy H8: Gypsy, Traveller and Travelling Showpeople Sites. As a council-owned site, the work is already progressing internally to explore the measures needed to bring this forward at the point it is needed.
- 3.12.10 In addition, Policy H8 continues to include criteria against which to assess new applications for any private sites which come forward within the borough over the Local Plan lifetime. This is particularly relevant as the GTTS ANA highlighted that the demand has arisen from families moving into the borough from outside the county, from publicly run sites to take up private family-sized sites, page 5.
- 3.12.11 Following the completion of the surveys and publication of the final GTTS ANA, November 2023, a number of factual modifications to reflect the updated information, are proposed by the council to the introductory chapter text in the Crawley Borough Submission Local Plan, Chapter 13: Meeting Housing Needs, paragraphs 13.6-13.11, page 180, and paragraphs 13.52 and 13.53 of the Reasoned Justification, supporting Policy H8 (Submission Document Reference: CBLP/01). These are set out in the council's Schedule of Suggested Modifications, Version 3, 10 November 2023 (Post-Submission Document Reference: CBC/CBLP/07c).
- 3.12.12 The outcomes of the GTTS ANA are not considered to change the approach of the Local Plan policy, or change the conclusion that there is no immediate need, in years 1-5, for a new traveller site within Crawley.