

Crawley

Local Plan

Crawley Borough Local Plan Examination

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

Matter 6: Housing Delivery Supplementary Questions

December 2023



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Contents

Issue 3: Gypsies, Travellers and Travelling Showpeople Supplementary Questions Accommodation Assessment Update 2023 (the GTAA).....	4
6.33 SQ6.33 Is the updated GTAA (November 2023) justified in finding that there is no conclusive need to immediately provide a publicly owned site in the Borough? Do recent / current planning applications/appeals indicate that there could be an immediate need? What about provision for small-scale private sites in the short to medium term?.....	4
6.34 SQ6.34 Given that there is a prevalence for persons of travelling ethnicity to be housed within bricks and mortar accommodation in the Borough, does the GTAA appropriately consider and assess the extent to which existing or newly forming households in bricks and mortar may want culturally appropriate accommodation to meet their habitation needs?	4
6.35 SQ6.35 The GTAA references ‘allocation policy/criteria’ where pitches arise and references the concept of “genuine need”. It goes on describe genuine ‘need’ for households in bricks and mortar seeking pitch provision only arising “...if they have a proven psychological aversion to bricks and mortar accommodation”. Is that a justified basis on which to determine genuine need?	5
6.36 SQ6.36 Is the 2023 approach of a “light-touch” survey, supplemented by engagement with relevant Borough and County Officers and Traveller representatives and an interview with a private pitch household, justified given the experiences in 2014 and the significant number of identified households who refused to participate in surveys?	6
6.37 SQ6.37 Is the submitted Plan Policy H8 justified at criterion a) in terms of the differentials in noise thresholds for permanent and transit provision and have alternative thresholds been considered? Is the Policy clear on how proposals within the safeguarded land should be assessed?	7
6.38 SQ6.38 Are any of the Council’s proposed modifications in CBCBLP.07c (10 November 2023), insofar as they relate to the updated GTAA, necessary for plan soundness?	9

Issue 3: Gypsies, Travellers and Travelling Showpeople Supplementary Questions Accommodation Assessment Update 2023 (the GTAA)

6.33 SQ6.33 Is the updated GTAA (November 2023) justified in finding that there is no conclusive need to immediately provide a publicly owned site in the Borough? Do recent / current planning applications/appeals indicate that there could be an immediate need? What about provision for small-scale private sites in the short to medium term?

6.33.1 Crawley Borough Council (CBC) updated the Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment throughout the Local Plan Review, as set out in the Council's Written Statement to the Inspectors' Matters, Issues and Questions, Matter 3 (Examination Document Reference: CBC/MIQ/003b).

6.33.2 The updated Needs Assessment, November 2023 (Post-Submission Document Reference: PS/H/HN/07) concludes that there is no immediate need requiring a traveller site within the borough.

6.33.3 Since the adoption of the Local Plan no request has been made to the council to bring forward the allocated reserve Traveller Site (pages 19 and 25 of the November 2023 Needs Assessment).

6.33.4 Two sites are currently being considered through the planning system. One had been subject to a temporary permission (due to its location within land safeguarded for Gatwick Airport future potential runway expansion to the south of the airport) and the other is currently being considered by the Planning Inspectorate for a second time (following the quashing of a permission granted by Appeal).

6.33.5 Following interviews carried out with families on the site subject to planning appeal, there is no indication that a publicly owned site would be considered as an alternative to owning a small private family site, with the family having moved from a publicly owned site in Kent.

6.33.6 The Needs Assessment confirms the conclusions in relation to the immediate need only apply if both of these sites are granted a further temporary permission. If either permission isn't granted then there would be a need to either bring forward the Broadfield Kennels site or for small individual alternative sites to be found.

6.33.7 The Local Plan (Submission Document Reference: CBLP/01) confirms that sites suitable for housing development are likely to also be suitable for permanent Traveller accommodation, subject to meeting the criteria set out in Policy H8: Gypsy, Traveller and Travelling Showpeople Sites (see the council's response to Questions 6.20 and 6.21 above).

6.34 SQ6.34 Given that there is a prevalence for persons of travelling ethnicity to be housed within bricks and mortar accommodation in the Borough, does the GTAA appropriately consider and assess the extent to which existing or newly forming households in bricks and mortar may want culturally appropriate accommodation to meet their habitation needs?

6.34.1 Crawley Borough Council (CBC) previously undertook surveys and interviews with the Traveller families known to the council within bricks and mortar accommodation, pages 21-22, November 2023 Needs Assessment. This concluded that there was no

immediate need arising from those families for permanent pitch sites. Despite this, the council determined that it was unlikely that there would be no need arising from later generations of those families wishing to take up a travelling lifestyle and requiring a pitch site within the borough. On this basis, a growth calculation was used to estimate the number of pitches potentially required over the Plan period. This led to the allocation of the reserve site within the adopted Local Plan, December 2015 (Submission Document Reference CBLP/02) of Broadfield Kennels for up to ten pitches.

- 6.34.2 The council has been unable to revisit those families or any other Traveller families within bricks and mortar accommodation within the borough to rerun the surveys and interviews (as explained in the November 2023 Needs Assessment section 3: data analysis and results, page 23). However, it can be concluded that, as no families have come forward since the adoption of the Local Plan in 2015 requesting a pitch site either to the Planning or Housing departments, this growth figure was an overestimate of the need for pitches within the borough. The homeless applications which have been on the register are requesting social housing in the form of bricks and mortar and not pitch sites.
- 6.34.3 Section 4 of the November Needs Assessment provides the council's approach to ensuring where Traveller families are housed within bricks and mortar accommodation steps are taken to seek to understand their specific needs and address any particular issues arising from their lifestyle or culture to maximise the appropriateness of their accommodation as far as possible.
- 6.34.4 The same number of pitches has been retained in the reserve traveller site (up to ten pitches) as was previously considered appropriate. This would provide for the four pitches needed from the two sites currently subject to planning, if neither of those were to secure temporary permissions, and six further pitches for needs arising from within the bricks and mortar population within Crawley should these occur during the plan period.
- 6.35 SQ6.35 The GTAA references 'allocation policy/criteria' where pitches arise and references the concept of "genuine need". It goes on describe genuine 'need' for households in bricks and mortar seeking pitch provision only arising "...if they have a proven psychological aversion to bricks and mortar accommodation". Is that a justified basis on which to determine genuine need?
- 6.35.1 Crawley Borough Council (CBC) believes that in a tightly constrained borough, as Crawley is, there is a need to rationalise the provision of pitch sites to those who truly need to live in such a lifestyle (whether travelling or not).
- 6.35.2 Legal advice was sought when preparing the adopted Local Plan in relation to meeting the needs of the Traveller community whilst balancing the constraints of a limited land supply. This confirmed that:
1. need is not to be equated with demand or aspiration;
 2. a traveller will be in need of accommodation where he has no lawful place to reside; where his existing accommodation is unsuitable (by reason of overcrowding, a proven psychological aversion to the accommodation or

otherwise); or where he is part of a new household that is unable to obtain its own accommodation;

3. where need has been identified, the local authority will have a discretion as to precisely how that need is to be met; and
4. need may include a need for transit sites or stopping places.

6.35.3 As options for pitch sites are limited within the borough, if accommodation needs of Gypsy and Traveller families could be met within bricks and mortar accommodation, then this is the first priority to consider. On this basis, Section 4 of the GTTS ANA confirms the council will continue to seek the opinion of the GTTS community in relation to how far alterations to their current bricks and mortar accommodation would make their accommodation more suitable, such as space for parking touring caravans.

6.35.4 The reserve site pitch provision is protected for those Traveller households where bricks and mortar accommodation is not suitable (i.e. due to a psychological aversion to the accommodation or similar) and a pitch site is necessary for the health and wellbeing. This reflects the approach to ensure there is a need for a pitch site, as part of the cultural/traditional way of life associated with Gypsy and Traveller heritage, rather than just need for accommodation.

6.36 [SQ6.36 Is the 2023 approach of a “light-touch” survey, supplemented by engagement with relevant Borough and County Officers and Traveller representatives and an interview with a private pitch household, justified given the experiences in 2014 and the significant number of identified households who refused to participate in surveys?](#)

6.36.1 Crawley Borough Council (CBC) has found it extremely difficult to engage with the Traveller communities within Crawley (as set out in page 22-23 in the November 2023 Needs Assessment). This is primarily because they are not an easily identifiable community living on publicly-run pitch sites. Most live within the bricks and mortar community, and even those on pitch sites, all are individual family units. There is not a single spokesperson who would represent the community or provide introductions. Also, the county Traveller liaison officer does not have any contact with Traveller families within Crawley.

6.36.2 Even where the council had good previous relationships with the families in Bricks and Mortar within the borough, in the previous survey 2013/2014, the limited response from the surveys and agreement for interviews highlights how difficult it is to secure a representative response rate.

6.36.3 The council sought advice from the Friends, Families and Travellers Association, but was unable to secure a reply or any support or advice.

6.36.4 However, the positive response from the families living on one of the pitch sites was extremely helpful in understanding the needs of the families on the private sites. The summary of responses is set out in the Table on page 24 of the November 2023 Needs Assessment and in the suggested modifications to paragraph 13.8 of the Local Plan, Schedule of Suggested Modifications, Examination Document Reference: CBLP/07d.

- 6.37 SQ6.37 Is the submitted Plan Policy H8 justified at criterion a) in terms of the differentials in noise thresholds for permanent and transit provision and have alternative thresholds been considered? Is the Policy clear on how proposals within the safeguarded land should be assessed?
- 6.37.1 As confirmed in the council's response to Question 6.20 above, the policy retains the criteria set out in Policy H5 of the adopted Crawley Borough Local Plan, December 2015, Policy H5: Gypsy, Traveller and Travelling Showpeople Sites, pages 85-87 (Submission Document Reference: CBLP/02). This was found sound through the examination, confirmed by paragraph 70, page 20, of the Inspector's Report, November 2015 (Submission Document Reference: CBLP/03).
- 6.37.2 The approach to ensuring caravan accommodation is only approved in appropriate locations not subject to unacceptable noise levels reflects paragraph 13(e) of the Planning Policy for Traveller Sites, 2015 (Post-Submission Document Reference: PS/H/HN/07): "provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development". This is critical in a borough which contains an international airport at Gatwick Airport.
- 6.37.3 Gatwick Airport Limited representations made as part of the Initial Regulation 19 Consultation January – March 2020, objected to Policy H8 criteria a, suggesting the need for placing a tighter noise restriction on traveller sites. Their representations made at the Further Regulation 19 Publication Consultation, May – June 2023, confirmed they withdrew their previous objections to the policy due to the reinstatement of Safeguarded Land for Gatwick Airport runway expansion (Submission Local Plan Policy GAT2).
- 6.37.4 As set out in Appendix F, pages 53-54, of the Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment, November 2023 (Post-Submission Document Reference: PS/H/HN/07) noise was considered to be a key site criterion for identifying traveller sites. In terms of Crawley, the greatest noise impacts affecting the occupants of traveller sites would be Gatwick Airport and the M23. The consideration of airport noise for traveller sites was based upon discussions with the borough's Environmental Health Officers.
- 6.37.5 In general terms, caravans are poor insulators of sound and even though official figures are unavailable, it would be optimistic to assume that they are able to attenuate any more than 20dBA in total, which is much less than a house. The advantage of houses is that they can be fitted with acoustic trickle vents and heavier roof structures to reduce overall internal levels whilst still having adequate ventilation, thus allowing them to be built in areas of higher noise levels. The council's Environmental Health advice is based on three main types of sites, permanent, long term (one month) and temporary (for a few days only).
- 6.37.6 For a permanent site, as the caravan offers a much lower level of acoustic attenuation than a normal house, the long-term exposure to noise would affect the residents' health and research has shown a direct correlation between high noise levels and child development. This makes areas which would fall inside the 57dBA contour unsuitable as the additional insulation measures, which protect the

occupants from noise, cannot be carried out. Therefore, it is only appropriate to put these sites in areas which would fall outside the 57dBA contour.

- 6.37.7 As for the longer-term sites, where they will be occupied for up to a month, the long-term exposure to noise will still adversely affect the residents' health. However, it is not permanent. The night-time noise would still disturb sleep and they should be outside the 60dBA contour.
- 6.37.8 Finally, the transit sites where occupation is only allowed for a few days, as the site is of a temporary use then these are considered acceptable outside the 66 dBA contour. However, there must be a condition preventing any caravan to occupy the site for any longer than a week.
- 6.37.9 CBC strongly believes the noise levels set out in the Local Plan for the Traveller sites, dependent on the length of stay, is the most appropriate approach. It is based on substantial Environmental Health evidence and has been retained from the previous Local Plan where these levels were found sound. Indeed, representations raised concerns that these were not sufficient in relation to the impact of noise levels above 57dB for temporary sites, but the Inspector concluded that the policy ensures that exposure to higher noise levels would only be short-lived and there is no evidence that this would cause serious long term health impacts. On this basis, the same noise levels have been retained.
- 6.37.10 In order to clarify the difference of application in relation to transit sites (where the permission for the use of the site could be permanent but the length of stay of any Traveller family is controlled) and temporary planning permissions (where the length of stay of the Traveller family could be long-term or permanent but the permission is granted for a specified period of time), the council propose a further modification to Policy H8 and the supporting text in the Reasoned Justification. This is set out in the Schedule of Suggested Modifications (Post-Submission Document Reference: CBLP/07e):

Policy H8: Gypsy, Traveller and Travelling Showpeople Sites

Criteria for Assessing other Proposals

- a) is not subject to existing or predicted air, road and/or rail noise in excess of 57 decibels for permanent sites, 60 decibels for long term temporary/transit sites allowing stay of up to one month, and 66 decibels for overnight/short term temporary stay/transit ~~temporary-transit~~ sites;

Reasoned Justification

- 13.576 *To deal with sites brought forward privately on unallocated land, land ordinarily considered suitable for housing development will be considered suitable for traveller accommodation subject to the proposal being compatible in design and amenity terms with the surrounding area, especially where proposals include employment based activities within their schemes. However, caravans offer a much lower level of acoustic attenuation than bricks and mortar accommodation and the long term exposure to noise would affect the residents' health. Exposure to noise in excess of 57 decibels on a permanent basis, 60 decibels for long term temporary sites allowing stay of up to one month and of 66 decibels for overnight/short term temporary stay/transit ~~temporary-transit~~ sites would not be in the long term interest of future inhabitants.*
- 13.587 *Should Gatwick Airport's proposals for an additional runway to the south of the existing Airport be brought forward, areas of the borough currently falling inside*

acceptable limits may become unsuitable in the future as noise contours migrate south into the built-up area. For these areas, temporary [planning](#) permission may be an appropriate decision until certainty is achieved.

- 6.38 SQ6.38 Are any of the Council's proposed modifications in CBCBLP.07c (10 November 2023), insofar as they relate to the updated GTAA, necessary for plan soundness?
- 6.38.1 Crawley Borough Council (CBC) has proposed some modifications to the Crawley Borough Submission Local Plan, May 2023 (Submission Document Reference: CBLP/01) alongside the submission of the updated Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment, November 2023 (Post-Submission Document Reference: PS/H/HN/07).
- 6.38.2 These are factual updates to reflect the outcomes of the Accommodation Needs Assessment, where the Submission Local Plan had previously been referring to the 2014 version of the Needs Assessment. It is believed that some modification to the supporting text is necessary for the Local Plan to be factually correct and up-to-date.
- 6.38.3 However, CBC does not believe the updated Needs Assessment requires any modification to Policy H8: Gypsy, Traveller and Travelling Showpeople Sites itself following the updated Accommodation Needs Assessment.
- 6.38.4 The additional modification proposed in paragraph 6.37.10 above is proposed for the purposes of clarification for the correct implementation of the policy, rather than new information from the updated Accommodation Needs Assessment.