

Royal Borough of Windsor & Maidenhead Traveller Local Plan Issues and Options Response Form

The Royal Borough of Windsor & Maidenhead is preparing a Traveller Local Plan which will set out how the accommodation needs of some of the specialised communities in the Borough (Gypsy and Traveller, Travelling Showpeople and boat dweller groups) would be met. This will be subject to an ongoing programme of engagement and consultation. When it is adopted, the Traveller Local Plan will form part of the development plan for the area and be used in determining planning applications.

The Issues and Options paper forms the first stage in plan-preparation. A vital part of this process is seeking the views of residents from the Travelling communities, the settled population and other interested parties on the options and questions explored in the paper and also on the supporting documents.

The consultation will run from **Monday 14 January 2019 to Monday 25 February 2019 (midnight)**.

The questions in this response form refer to the Issues and Options document. Further information, details and other documents related to the Issues and Options consultation can be found on the Council's website at <https://www3.rbwm.gov.uk/travellerlocalplan>.

This response form is split into several sections which follow the sections of the Traveller Local Plan Issues and Options paper. You can answer questions on just one section or all of them, and you may wish to miss out any questions you do not wish to answer.

The sections are as follows:

- Section 2 - Context
- Section 3 – Vision and Objectives
- Section 4 – Gypsies and Travellers
- Section 5 – Travelling Showpeople
- Section 6 – Boat Dwellers
- Section 7 - Are there any other Issues and Options?

Return this form to us

By email to: TravellerLocalPlan@rbwm.gov.uk

By post to: Planning Policy, The Royal Borough of Windsor and Maidenhead,
Town Hall, St Ives Road, Maidenhead, Berkshire SL6 1RF

All comments must be received by midnight on Monday 25 February 2019.

If you have any queries regarding this document please contact a member of the planning policy team at TravellerLocalPlan@rbwm.gov.uk or by telephone at **01628 796357**.

Royal Borough of Windsor & Maidenhead

Traveller Local Plan Issues and Options - Response Form

Personal details

If you are responding as an agent, please also provide your details and the details of who you represent in the appropriate columns.

	Respondent details	Agent detail (where applicable)
Title	Mr	
First Name	James	
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Job title (where applicable)	Senior Planning Officer	
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Personal details will be processed in accordance with the principles of the Data Protection Act 2018 and the General Data Protection Regulation. The information you have provided is used to establish that there are no repeat responses; it may be shared with an independent examiner and the Ministry for Housing, Communities & Local Government who may appoint an independent examiner. Your name and comment/response may also be published by RBWM. Full details of how we use your personal data are published on our privacy page.

https://www3.rbwm.gov.uk/download/downloads/id/3962/planning_policy_consultations_and_call_for_sites.pdf

Please indicate if you wish to be notified about future consultations.

Yes	X	No	
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Section 2 – Context - Supporting Evidence for the Traveller Local Plan

Question 2a Do you have any comments on the Sustainability Appraisal Report published alongside this Issues and Options paper?
No comments.

Question 2b Do you think that we have correctly identified the evidence needed to support the Traveller Local Plan?				
<table border="1"><tr><td>Yes</td><td>X</td><td>No</td><td></td></tr></table>	Yes	X	No	
Yes	X	No		
If not, what additional evidence should be sought?				

Section 3 – Vision and Objectives

Question 3a

A suggested vision is as follows:

"By [end date of plan], The Royal Borough of Windsor and Maidenhead will have provided a sufficient number of sustainable and high quality sites to fully meet the assessed accommodation needs of the Gypsy and Traveller, Travelling Showpeople and boat dweller communities. Sites will be located in areas that provide protection from flooding and enable adequate access to community facilities such as schools, health centres and shops. There will be a reduced incidence of unauthorised developments and encampments, and increased integration between the Travelling communities and the settled community. The special built and natural character of the Borough, including its countryside, open space, Green Belt, historic environment, River Thames and woodland will have been protected and enhanced."

Do you feel this suggested vision is appropriate for the RBWM Traveller Local Plan?

Yes

No

X

Please explain your response.

WBC considers that the final paragraph of the vision should be altered as follows:

“Through careful site selection and design, new sites for Gypsy and Travellers, Travelling Showpeople and boat dwellers, will respect ~~the~~ the special built and natural character of the Borough, including its countryside, open space, Green Belt, historic environment, River Thames and woodland will have been protected and enhanced.”

WBC agrees with the principle of protecting the special characteristics of the borough. However, WBC considers that the vision’s wording as proposed seems to provide justification for not considering sites in areas covered by the constraints identified in this sentence. It needs to be made clear that site allocations in these areas can be acceptable providing they don’t have an unduly harmful impact.

Question 3b							
Should the end date of the plan be 2033, 2035, 2036 or another date?							
2033		2035		2036	X	Other date	
If "Other date" selected, what other date should be used?							
Please explain your response.							

As identified in the consultation document, the NPPF states that strategic policies within development plans should look ahead a minimum of 15 years from adoption. Based on the current Local Development Scheme, the plan is programmed for adoption in winter 2020/21 and therefore 2036 would accord with this.

Question 3c

Do you have any views on what should be the objectives for the Traveller Local Plan?

WBC considers that the objectives of the Traveller Plan should be consistent with those of the Borough Local Plan Submission Version. It is noted that Objective 2 of the BLPSV concerns meeting housing needs. The objective is: "To meet the varied housing needs of residents in an appropriate way whilst steering development to the most sustainable locations:

- ...
- iii. Provide housing that meets the needs of all sections of community including a sufficient level of affordable housing"

The Traveller local plan should include an objective along similar lines which specifies that housing will be provided to meet the full needs of Gypsy and Travellers, Travelling Showpeople, and Boat Dwellers.

Section 4 – Gypsies and Travellers

Question 4a

Which of the identified policy options do you feel is the most appropriate?

• Option 1 - Do nothing	
• Option 2 - Allocate small new sites across Borough	X
• Option 3 - Allocate larger new sites	X
• Option 4 - Allocate some existing unauthorised sites	X

• Option 5 - Expand existing Gypsy and Traveller sites	X
• Option 6 - Large housing developments to provide some pitches	X
Please explain why you think this.	
<p>No one single approach on its own is likely to be sufficient to meet needs in full. All the above-ticked options represent reasonable approaches and none of these should be discounted at this early stage of plan preparation. WBC would expect RBWM to fully meet its needs through a combination of the above options.</p>	

Question 4b			
Are there any other possible policy options with regards to the provision of Gypsy and Traveller accommodation?			
Yes	X	No	
If so, please provide details.			
<p>Option 5, as detailed in the consultation document, only considers expanding existing authorised council owned sites. Opportunities to expand or intensify existing authorised (or part authorised) private sites should also be explored as some of these sites may be suitable, and have capacity, for additional pitches.</p>			

Question 4c	
Should we provide the minimum number of Gypsy and Traveller pitches that we have to (e.g. 21 pitches to meet the needs of those who still travel) or should we allocate a much higher number in order to meet some of the wider cultural need as well?	
• Provide the minimum number	
• Allocate a much higher number	X

Please explain your response

The Planning Policy for Traveller Sites (PPTS) requires LPAs to plan for the accommodation needs of those travellers who specifically satisfy the definition set out at PPTS annex 1. Additionally, the NPPF requires that housing be delivered which meets the needs of specific groups (para 59). One of these specific groups, listed in paragraph 61, is travellers which, based on footnote 25, refers to those travellers who aren't already covered by the Annex 1 definition.

On top of this LPAs also have statutory duties as a housing authority to consider the needs of people living on sites on which caravans can be stationed (as set out in the Housing Act 1985 (as amended by the Housing and Planning Act 2016)). These policy and statutory requirements clearly cover those Gypsies and Travellers who may not fall within the 'PPTS definition' but nonetheless represent 'Cultural need'. The Traveller Local Plan is an integral mechanism to ensure these wider housing duties are met and so the plan should not just seek to meet the minimum PPTS number. WBC notes that the RBWM Borough Local Plan Submission Version does not seek to address cultural needs, which makes it the more important that this is addressed by the Traveller Local Plan.

On top of the above requirements which make planning for the larger need preferable, it is also the case that someone who didn't fit into the PPTS definition at the time of the GTAA study may, for various reasons, resume travelling in the future and therefore satisfy the PPTS definition. One of the difficulties with the narrow government definition is that whether someone satisfies it is a matter of personal lifestyle choice, and people's personal circumstances can change. It is therefore a much sounder approach to plan for greater than the PPTS need as this number is not static.

Question 4d

Do you have any comments on the Proposed Traveller Site Assessment Methodology? For example, what factors should we take into account in determining where sites should be located? Should areas within the Green Belt and at a high risk of flooding be automatically rejected?

The methodology sets out that sites will be identified from the following sources:

- Existing known authorised and unauthorised Traveller sites, taken from the GTAA.
- Sites where there has been a recent planning application for Traveller use, including those that were unsuccessful in gaining planning permission.
- Sites put forward through 'call for sites' exercises.
- Sites in the Council's ownership.

The methodology further states that sites that have not been identified through these sources will not be considered. However, in addition to these sources, there is also the potential for RBWM to acquire additional land which may be suitable for Gypsy and Traveller pitches. The comments WBC provided in August 2018 to RBWM's 'Traveller Call for Sites' consultation remain valid:

"WBC notes that Councils can often find it difficult to encourage a good range of private sites to be promoted for Gypsy and Traveller use. WBC would expect RBWM to bear in mind that it is open to them to consider the purchase of additional land to be allocated to meet its identified need should there be a shortage of private sites put forward."

Question 4e			
Should the Traveller Local Plan contain a policy to provide design requirements for new Gypsy and Traveller sites?			
Yes	X	No	
Which of the following matters should be covered by the policy?			
• Access and parking			
• Landscaping / fencing			
• Size / orientation of pitches			
• Open space / children's play space provision			
• Utility provision / surface water drainage			
• Waste storage			
• Communal facilities / amenity buildings			
• Space for work activities / animals			
• External lighting			
• Hardstanding			
Please explain why you think this.			
<p>Any design policy should add value to the overarching design principles policies in the wider development plan. Gypsy and Traveller sites do have specific design criteria which are distinct from other forms of development so a specific policy can add value. However, policies should not repeat requirements set out in other legislative regimes (e.g. site licensing requirements).</p>			

Question 4f	
Should there be a more even distribution of Gypsy and Traveller sites in the Borough or is it better to retain the current uneven distribution?	
• There should be a more even distribution	
• Retain the current uneven distribution	
Please explain why you think this.	
<p>The distribution will be dependent on the sites that have been promoted and identified through the site assessment methodology and the needs of the Gypsy and Traveller community. As is common, it is likely there will not be a large number of sites to consider. Therefore, subjective decisions about spatial distribution based on 'evenness' could unduly limit the spatial options available which may lead to an inability to deliver sufficient supply. It is also not appropriate to provide additional pitches in locations which are not accepted by the Gypsy and Traveller community.</p>	

Question 4g	
<ul style="list-style-type: none"> • What would be the appropriate MINIMUM number of pitches on a new Gypsy and Traveller site? 	No minimum
<ul style="list-style-type: none"> • What would be the appropriate MAXIMUM number of pitches on a new Gypsy and Traveller site? 	Approx. 15 pitches but site dependent
Please explain your response.	
<p>Sites capable of accommodating just 1 or 2 pitches can make a valuable contribution to supply. Ruling out sites based on a minimum threshold could have negative implications for meeting need, and may not reflect the cultural groupings within the Gypsy and Traveller community.</p> <p>As regards maximum pitch numbers, what is appropriate will be dependant on the site and location. The PPTS requires that sites do not, singularly or cumulatively, dominate the nearest settled community and this is something that will need to be assessed on a case by case basis. Former national guidance, as referenced in the consultation document, advised that 15 pitches was a preferable maximum number as sites larger than this can be difficult to manage effectively. This provides a helpful rule of thumb, but there will be instances where sites providing greater numbers of pitches is appropriate. Therefore, again, it would be advisable not to impose rigid pitch number limits to the site assessment process.</p>	

Question 4h	
<ul style="list-style-type: none"> • What would be the appropriate MINIMUM size (in hectares) for a new Gypsy and Traveller site? 	
<ul style="list-style-type: none"> • What would be the appropriate MAXIMUM size (in hectares) for a new Gypsy and Traveller site? 	
Please explain your response.	

See above – principle is the same

Question 4i

Should the Council consider the provision of a transit site and/or a temporary stopping place?

Yes	X	No	
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If so, how should this be achieved?

Options to deliver a transit site should be explored working with neighbouring authorities. Finding land for a transit site should not unduly compromise meeting identified permanent need.

Section 5 – Travelling Showpeople

Question 5a

Which of the identified policy options do you feel is the most appropriate?

<ul style="list-style-type: none">• Option 1 - Do nothing	
<ul style="list-style-type: none">• Option 2 - Authorise existing unauthorised sites	X
<ul style="list-style-type: none">• Option 3 - Identify new sites	X

Please explain why you think this.

Authorising tolerated sites can be an effective way of meeting need. However this would need to be supplemented by additional provision to meet needs in full.

Question 5b

Are there any other possible policy options with regards to the provision of Travelling Showpeople accommodation?

Yes	X	No	
If so, please provide details.			
Same as for 4d: it is also open to RBWM to acquire additional land.			

Question 5c

Should the Traveller Local Plan contain a separate policy to provide design requirements for new Travelling Showpeople sites or can there be a single policy for the design of both Gypsy and Traveller and Travelling Showpeople sites?

• There should be a separate policy	
• There can be a single policy for both	X
Which of the following matters should be covered by the policy?	
• Access and parking	
• Landscaping / fencing	
• Size / orientation of pitches	
• Open space / children's play space provision	
• Utility provision / surface water drainage	
• Waste storage	
• Communal facilities / amenity buildings	

• Space for work activities / animals	X
• External lighting	
• Hardstanding	
Please explain your response.	
<p>Space for work activities / storage of work equipment is a specific layout consideration for Travelling Showpeople sites. This could be specified as a distinct criterion within a wider design policy which also incorporates Gypsy and Traveller design requirements. As above, policies should not repeat requirements set out in other legislative regimes but add specific value to more general development plan design policies.</p>	

Section 6 – Boat Dwellers

Question 6a	
Which of the identified policy options do you feel is the most appropriate?	
• Option 1 - Do nothing	
• Option 2 – Provide for some types of boat dweller only	
• Option 3 – Provide for all types of boat dweller	
Please explain why you think this.	
<p>As stated in the consultation document, further evidence is needed on the needs of boat dwellers so WBC has no comment at this time.</p>	

Question 6b			
Should the Traveller Local Plan be providing for boat dwellers?			
Yes		No	
Please explain why you think this.			

No comment given the absence of specific evidence of need at this time.

Question 6c

If so, should the Traveller Local Plan be providing for all boat dwellers, including those recreational boaters, or only those who use their boats as their main or only residence?

- | | |
|--|--|
| <ul style="list-style-type: none">• Should provide for all boat dwellers | |
| <ul style="list-style-type: none">• Should provide for only those who use their boats as their main or only residence | |

Please explain why you think this.

No comment given the absence of specific evidence of need at this time.

Question 6d

Are there any other possible policy options with regards to the provision of boat

dweller accommodation?			
Yes		No	
If so, please provide details.			
No comment given the absence of specific evidence of need at this time.			

Question 6e			
Should the Traveller Local Plan contain a separate policy to provide design requirements for moorings and marinas?			
Yes		No	
Which of the following matters should be covered by the policy?			
• Access and parking			
• Landscaping / fencing			
• Layout of moorings / marinas			
• Open space provision			
• Utility provision			
• Waste storage			
• External lighting			
Please explain your response			
No comment given the absence of specific evidence of need at this time.			

Question 6f

Do you have any information on boat dwellers in the Borough that you would be willing to share with the Council?

Question 6g

Do you have a view on whether boat dwellers accommodation is appropriate in the functional floodplain?

Yes

No

If yes, please give details

Given that boat dwellers reside on waterways, it is unclear what the intention is behind these questions. All main waterways will in effect be within the functional flood plain, even if the flood extent is limited to the normal river channel.

Section 7 – Are there any Other Issues and Options?

Question 7a

Are there any other issues and/or options not specified in this paper that you wish to raise?

Question 7b

Do you have any other comments on what the Traveller Local Plan ought to contain?

