

Response by Gravesham Borough Council to the Dartford Local Plan Examination Update on Gypsy, Traveller and Travelling Showpeople accommodation.

Gravesham Borough Council (GBC) were unable to attend the main session on this issue and unfortunately there is no information online, detailing the outcome of that session, such as a letter from the Examining Inspector providing the context for the submission of this additional evidence and the need for an additional session. As such the points raised in this representation are made in the absence of that context.

This current update is seeking view on three pieces of new evidence relating to the policy approach to Gypsy and Traveller site provision in the Dartford Local Plan. These are:

- EXAM 26 - Green Belt Exceptional Circumstances,
- EXAM 27 - Local Plan Gypsy and Traveller Sites: Duty to Co-operate
- EXAM 28 - Sustainability appraisal

Background

As GBC understands the position, the Gypsy and Traveller Accommodation Assessment (GTAA) (October 2019), identifies a total need for 83 pitches to meet the accommodation needs of those Gypsy and Traveller households (referred to as Traveller households for the rest of this representation) in Dartford up to 2035. This is broken down into 5 years periods as follows¹:

Figure 10 – Need for Gypsy and Traveller households in Dartford that met the Planning Definition by 5-year periods

Years	0-5	6-10	11-15	16	Total
	2019-24	2024-29	2029-34	2035	
	48	9	11	2	70

Figure 15 – Need for undetermined Gypsy and Traveller households in Dartford by 5-year periods

Years	0-5	6-10	11-15	16	Total
	2019-24	2024-29	2029-34	2035	
	1	0	1	0	2

Figure 19 – Need for Gypsy and Traveller households in Dartford that did not meet the Planning Definition by 5-year periods

Years	0-5	6-10	11-15	16	Total
	2019-24	2024-29	2029-34	2035	
	6	4	1	0	11

¹ Direct extract from the Dartford GTAA (2019) hence figure numbers are not sequential

DBC's approach to meeting these needs is set out in Draft Policy M12 (Gypsy, Traveller and Travelling Showpeople Accommodation) of the draft Dartford Local Plan. The focus of the policy is meeting the accommodation needs of Travellers who meet the planning definition, in the first five years of the plan period. As detailed in the policy background, taking account of permissions granted, this equates to identifying sufficient land to deliver 34 pitches up to 2026.

In DBC's response to the Inspectors Questions, as set out in Matter Statement 2 Issue 4 updated the number of pitches required to meet the needs of Traveller households who meet the planning definition between 2022 – 2027 to 27 pitches. This takes account of additional planning permissions granted.

There is no clear strategy detailing how the needs of those Traveller households who do not meet the planning definition or how the identified accommodation needs of Traveller over the remainder of the plan period will be met. GBC understands that this may have been an issue covered at the Stage 2 hearings.

To meet the identified accommodation needs of those Travellers who meet the planning definition in the first 5 years of the plan, DBC have considered the following opportunities

- intensification or extension of existing authorised and tolerated sites to meet the specific need so of those sites
- intensification or extension of other existing authorised and tolerated sites
- granting permanent planning permission for sites currently with temporary planning permission
- making provision within strategic development coming forward within Ebbsfleet.

An assessment of the capacity of existing authorised and tolerated sites was carried out. This involved the appraisal of 7 specific sites considered to have the potential to accommodate additional pitches to meet the specific needs arising from those sites. This concluded that these sites could deliver 8 pitches reducing the 5 year need for Traveller households who meet the definition to 19 pitches.

In respect of the potential delivery in Ebbsfleet Garden City, it is clear that there is no reasonable prospect of land coming forward to assist in meeting the accommodation needs of Travellers in the short to medium term.

DBC have subsequently considered a number of other options, include examining:

- any of the Submission Local Plan strategic site allocations and identified areas with potential for future development (ie sites outside the Green Belt),
- on other land within Ebbsfleet Garden City; and
- on council owned land outside the Green Belt (Dartford Borough Council and Kent County Council).

No additional land was identified from these sources.

Given these efforts, EXAM 26 (Green Belt Exceptional Circumstances Paper) sets out the arguments which DBC consider amount to the exceptional circumstances necessary to justify the release of three parcels of land from the Green Belt. These are summarised as follows

- As background evidence of where current need is located, DBC confirm that all Gypsy and Traveller sites in Dartford are located in the Green Belt and therefore the current and future needs identified through the GTAA are focussed in the Green Belt.
- In line with the GTAA recommendation, DBC have explored opportunities to increase the number of caravans/mobile homes on existing sites or a small extension to existing sites to meet current accommodation needs and those that require a pitch of their own in the next 5 years (up to 2027).
- It is proposed to grant permanent planning permission for those sites with temporary permission.
- Taking account of development constraints, opportunities to provide new sites have been explored in areas that are not subject to Green Belt designation, including land with the Ebbsfleet Garden City, land at Swanscombe Peninsula and public sector land, with no success in identifying land (see paragraph 4.8 of EXAM 26)

These opportunities have brought forward 12 pitches capable of delivery within the first five years of the Plan, all within the Green Belt. There remains an unmet need of 15 pitches over the period 2022-2027 to meet the needs of those Travellers who meet the planning definition.

Meeting identified need

As is the case in Dartford, the majority of the rural area in Gravesham is protected by Green Belt policy. As detailed in the Statement of Common Ground GBC is also having to look at all reasonable options to meet the identified accommodation needs of Travellers over the plan period, and determine whether there are exceptional circumstances to warrant amending the Green Belt boundary. GBC have not raised any comments to date in respect of DBC's approach to addressing Traveller accommodation need but having concluded that very special circumstances do exist to warrant a change to the Green Belt boundary, GBC would like to draw the Inspectors attention to the following points.

Paragraph 11b of the NPPF makes it clear that strategic policies should, as a minimum, provide for the objectively assessed needs for housing and other uses, which include the need for accommodation for Travellers in the round, unless there are policies in the Framework provide a strong reason for restricting the overall scale, type or distribution of development or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Footnote 7 to paragraph 11 identifies Green Belt policy is one of those strong reasons. In the light of this guidance DBC have concluded that, while there are exceptional circumstances to warrant a Green Belt Review, the review should be limited to enable specific identified accommodation needs to be met on three existing Traveller sites where owners are willing to deliver pitches.

GBC submits that if the Inspector agrees that exceptional circumstances do exist to warrant changes to the Green Belt boundary, it is important to ensure that

- the boundary amendments proposed are fully evidenced and justified, and will endure beyond the plan period (as required by NPPF paragraph 140) given that the identified accommodation needs of Travellers who meet the planning definition, and those that do not meet the definition, remain unmet in the short term, let alone beyond the plan period., and

- that the strategic policy making authority (DBC) has demonstrated that all reasonable options for meet its identified need for development, in this case the accommodation needs of Travellers in the round, have been fully explored (as per NPPF paragraph 141).

As concluded in EXAM 26, despite the opportunities that have been explored to enable the identified needs of this community to be met, there remains, there remains a significant level of unmet need. The opportunities considered have been limited to areas outside the Green Belt and existing authorised/lawful/tolerated Traveller sites within the Green Belt from which need has emerged. No consideration has been given to other opportunities such as existing unlawful Traveller sites or Green Belt sites promoted for residential development through the Strategic Housing Land Availability Assessment but rejected due to their Green Belt location.

Having concluded that a review of the Green Belt is required; GBC questions whether it is reasonable to limit the opportunities considered and the scale of provision being made to meet the accommodation needs of this community. It is suggested that it would be more reasonable and in line with the NPPF, paragraph 141, to expand the search for Traveller pitches to include other land within the Green Belt to ensure that all opportunities have been explored.

In addition, whilst we recognise that this is about meeting traveller need, paragraph 140 is also explicit that Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified with a view to their intended permanence in the long term, so they can endure beyond the plan period. As DBC is proposing to make changes to the Green Belt, consideration should be given to whether the review needs to consider their full need for the plan period and potentially the wider unmet need. Paragraph 3.12 of their Meeting the Needs of Gypsies, Travellers and Travelling Showpeople Report Sept 2021 (page 9 of GAT-2) sets out that that all traveller and travelling showpeople's sites within the Borough are located in the Green Belt so it is likely that a Green Belt location will be the location in which those needs will be met.

Proposed Green Belt boundary amendments.

In respect of the actual amendments to the Green Belt boundary, GBC would reiterate its earlier representation on the proposed Green Belt boundary amendment at Salinas, close to Darenth Park Avenue. If changes are proposed in this locality and given changes to the Green Belt boundary should endure beyond the plan period, it would be reasonable to consider the appropriateness of limiting the change to just the Traveller site and not consider whether it is appropriate to retain the adjoining housing estate and hospital in the Green Belt.

This view is supported by Land Use Consultants in their Green Belt Harm Assessment (paragraph 3.46 of Appendix 1 of EXAM 26) The assessment concludes that while there would be no harm to the Green Belt purposes, the removal of the site in isolation would result in an inconsistent Green Belt boundary that *"would not be" readily recognisable* (in line with the NPPF paragraph 143) *because it would leave adjacent development from which it has no distinction, as Green Belt land. Any release that does not incorporate all contiguous washed-over development between the site and Dartford will require the definition of an arbitrary boundary that will not mark a clear distinction between developed and open land"*.

GBC submits that demonstrating exceptional circumstances to make such a boundary change is not reliant on there being an unmet development need that requires this change. The fact that the area has changed overtime to the extent that openness has been compromised and realistically no longer performs a Green Belt purpose can provide an equally strategic justification for such a change.