

Examination of the Tunbridge Wells
Borough Local Plan

Tunbridge Wells Borough Council
Hearing Statement

**Matter 9: Other Matters and Main
Modifications Necessary for
Soundness**

**Issue 3: Accommodation for Gypsies
and Travellers and Travelling
Showpeople**

Document Reference: TWLP/146



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Matter 9 – Other Matters and Main Modifications Necessary for Soundness

Issue 3 – Accommodation for Gypsies and Travellers and Travelling Showpeople

Inspector’s Question 1: [re. Accommodation needs]

What are the accommodation needs for Gypsies and Travellers and Travelling Showpeople over the plan period? How will these needs be met?

TWBC response to Question 1

Introduction

1. Stage 2 hearings included discussion on a range of issues relating to meeting housing needs. The Matter 8, Issue 11 session related specifically to accommodation for Gypsies and Travellers and the Council’s approach to meeting such needs, set out in its Hearing Statement, document [TWLP/040](#).
2. The following response to Question 1 above, draws upon the Council’s earlier response at Stage 2, which considered a similar question *“What are the accommodation needs over the plan period and how will they be met? How have site capacities been determined, especially for sites with the potential to expand?”*
3. The response then explains that the Council has recently produced an updated Gypsy & Traveller Needs assessment (GTAA) dated June 2024.

Consideration

4. The Council would cross-refer to the its response to Question 1 in document [TWLP/040](#). Of particular relevance it is noted that the response set out that Paragraphs 6.37 and 6.38 of the Council’s Housing Supply and Trajectory Topic Paper [[CD 3.74a](#)] provide a

detailed explanation of the how the number of pitches to be delivered from 2017 to 2038 (a period 21 years) has been calculated (a total of 33 pitches).

5. The need is then set out in the table presented at page 4, with paras 3-9 setting out more detail about the need and supply.
6. The response to Question 2 of the earlier Stage 2 Hearing Statement then goes on to consider how the needs will be met, with direct reference to the Council's 2018 Gypsy and Traveller Accommodation Needs Assessment (GTAA) [[CD 3.28](#)]. Paras 11 and 12 of the Stage 2 Hearing Statement explains the suggested approach, with the 2018 GTAA recommending that the most appropriate way of meeting the identified need, which the GTAA identified as coming from the change of family circumstances for the existing families resident on private family-based sites within the borough, should largely be through the intensification and/or expansion of existing sites. However, it cautions that, for some sites, this may not be appropriate, including where the expansion and/or intensification of a site may result in a site that is considered to be too large. The GTAA also advised that further capacity could also be met by granting full planning permission to occupiers residing on sites with temporary planning permission, and also by reviewing appeal decisions.
7. The provision of pitches, transit sites and yards for Travelling Showpeople is considered at paras 13-22 of the Stage 2 Hearing Statement.
8. Para 23 of the statement identified that "In conclusion as outlined within the Submission Local Plan, as of December 2020, it is considered that the Plan could provide for approximately 32-35 pitches against an outstanding need of 31 pitches (when taking into account pitches completed between 1 April 2017 and 31 March 2020). However, it should be added that the latest Five-Year Gypsy and Traveller Pitch Supply Statement 2021 provided an updated position as at 31 October 2021. This identifies that, as at 1 October 2021, there is an estimated pitch capacity of 32-34 pitches against an outstanding need of 26 pitches (when taking into account completions between 1 April 2017 and 31 September 2021). The Council is therefore confident that the accommodation needs for Gypsies and Travellers will be sufficiently met over the plan period".

Update since the Stage 2 hearings

9. As explained in the Council's Matter 9, Issue 1 Material Changes in Circumstances since Stage 2 Hearings [TWLP/144], the Council has recently undertaken a new, updated Gypsy and Traveller Accommodation Needs Assessment.
10. As identified above, the Submission Local Plan was informed and supported by a Gypsy and Traveller Accommodation Assessment dated 2018 prepared by consultants, RRR Consultancy Ltd [[Core Document 3.78](#)].
11. On the 7 February 2024, the Inspector wrote to the Council about this. Paras 2 and 3 of the letter are relevant [[document ID 015](#)]. At para 3 the Inspector identified that the 2018 assessment no longer reflects national planning policy (which was updated in December 2023 after the Stage 2 hearings and included a revised definition for Gypsies and Travellers) and that the surveys used to support the GTAA date back to 2017, raising concern about the age of this piece of the evidence-base. The Inspector advised that *"It is therefore not possible to determine whether the Plan will provide a sufficient supply of sites, as future needs are unknown. A new GTAA will therefore be required as part of this examination"*.
12. The Council has therefore, using the same consultants, undertaken production of a new, updated GTAA that assesses accommodation needs for Gypsies, Travellers and Travelling Showpeople in accordance with the change in definition set out at [Annex 1](#) of the Government's Planning policy for traveller sites ('PPTS'), 19th December 2023.
13. Having recently received this, the Council is in the process of reviewing the document before publishing it and conducting a public consultation on it, ahead of further discussion at a future examination hearing session.
14. Without prejudice to the outcome of the public consultation however, the Council considers that any unmet need arising from the findings of the new GTAA, June 2024, can be sought as part of the proposed early review of the Local Plan. Reference to this is made in the draft modified Policy STR 1 The Development Strategy presented in an Action Point Note submitted to the examination, which addresses the early review of the Local Plan in more detail.

Conclusion

15. The above response identifies that in its earlier Stage 2 Hearing Statement for Matter 8, Issue 11 Accommodation for Gypsies and Travellers [[TWLP/040](#)], the Council explained the accommodation needs and how these would be met, in the context of the GTAA dated 2018 [[Core Document 3.78](#)].
16. In this statement, an update on this piece of the evidence-base is provided, setting out that a new GTAA has been undertaken, and that the Council will publish this in due course and consult upon it as part of the ongoing examination process. A further hearing session on this matter will then be held.
17. The Council is committed to an early review of the Local Plan (due to having a 10-year rather than a 15-year Housing Land Supply). As part of the early review the Council will be seek ways of meeting any unmet need for Gypsy and Travellers and Travelling Showpeople arising from the new GTAA.

Inspector's Question 2: [re. Site allocations meeting the need]

Is it sufficiently clear to users of the Plan which sites are allocated to meet the needs for Gypsies and Travellers and Travelling Showpeople?

TWBC response to Question 2

Consideration

18. The Council has previously responded to this question in its Stage 2 Hearing Statement [TWLP/040](#), specifically its response to Question 3, and would cross-refer to that response, which remains valid.
19. As set out in the response to Question 1 above, the Council would seek to meet any additional accommodation needs arising from the new GTAA, dated June 2024 through the proposed early review of the Local Plan.
20. In doing so, the Council would seek to set out clearly within the Local Plan review document itself which sites would be allocated to meet this need.
21. Furthermore, within the Matter 8, Issue 11 session, the Council agreed to make a modification to Policy H9 to list the sites proposed for allocation for additional pitches within the Policy itself. It was additionally proposed to amend the wording of the Policy to make it clear that the criteria listed related to proposals for additional pitches on these identified sites. A further modification was proposed to criterion 1 to remove "*maximised*" and to replace it with "*optimised (subject to meeting the requirements of criteria 2-7 below)*". Finally, a modification was proposed to the last paragraph of the Policy to remove "*in exceptional circumstances*" and other minor wording tweaks. The draft modifications to Policy H9 can be found in **Appendix 1**.

Inspector's Question 3: [re. Process and methodology]

What process and methodology did the Council use to determine which sites to allocate?

TWBC response to Question 3

Consideration

22. The Council has previously responded to this question in its Stage 2 Hearing Statement [[TWLP/040](#)], specifically its response to Question 4, which asked the same question and would cross-refer to that response, which remains valid.
23. As set out in the response to Question 1 above, the Council would seek to meet any additional accommodation needs arising from the new GTAA, dated June 2024 through the proposed early review of the Local Plan.
24. In doing so, the Council would review the process and methodology previously used to determine which sites to allocate, to establish whether any refinement would be necessary in order to maximise opportunities available to meet the accommodation needs arising from the updated GTAA.

Inspector's Question 4: [re. Justification and compliance with national policy]

Are the allocated sites justified, consistent with national planning policy and capable of being developed over the plan period?

TWBC response to Question 4

Consideration

25. As with responses above, the Council has previously responded to this Question in its earlier Stage 2 Hearing Statement [TWLP/040](#). That response was however given in the context of the GTAA 2018 prepared to support and inform the Submission Local Plan.
26. Since the Stage 2 hearings, and as set out in the response to Question 1 above, there has been an update to national policy, namely the Government's Planning policy for traveller sites ('PPTS') dated 19th December 2023. Specifically, the update to this included a new definition of Gypsies and Travellers set out at [Annex 1](#) of the PPTS.
27. It is this change in national policy that underpinned the need for the Council to undertake the new GTAA explained in Question 1 above.
28. As set out in the response to Question 1 above, having recently received this, the Council is in the process of reviewing the document before publishing it and conducting a public consultation on it, ahead of further discussion at a future examination hearing session.
29. Without prejudice to the outcome of the public consultation however, the Council considers that any unmet need arising from the findings of the new GTAA, June 2024, can be sought as part of the proposed early review of the Local Plan. Reference to this is made in the draft modified Policy STR 1 The Development Strategy presented in an Action Point Note submitted to the examination, which addresses the early review of the Local Plan in more detail.
30. As part of the early review, and the future Examination of the review Local Plan, the Council would at that stage be required to ensure that any additional sites allocated through the review process are justified, consistent with national planning policy and capable of being developed over the plan period.

Appendices

Appendix 1 – Proposed Modifications to Policy H9

Policy H 9

Gypsies and Travellers

To meet the accommodation needs for Gypsies and Travellers over the plan period, the following sites, as shown on the relevant Inset Maps of the Policies Map and on site layout plans in Appendix 5*, are allocated for additional pitches as identified in Table 11 proposals for additional pitches, as identified in Table 11, as shown on the relevant Inset Maps of the Policies Map and on site layout plans showing potential areas for additional pitches in Appendix 5 (excluding for Policy STR/SS 1), will be permitted subject to providing the highlighted site-specific mitigations and meeting all the criteria below, as applicable:

- STR/SS 1 (Paddock Wood);
- Bassetts Farm (Horsmonden);
- Broomhill Nurseries (Cranbrook & Sissinghurst);
- Cinderhill Wood (Brenchley and Matfield);
- Dean Wood (Paddock Wood);
- Funnel Piece (Paddock Wood);
- Greenfields Farm (Paddock Wood);
- Heartenoak (North) (Hawkhurst);
- 1 Hartleylands (Cranbrook & Sissinghurst);
- 3 Hartleylands (Cranbrook & Sissinghurst);
- Lordship Stables (Brenchley and Matfield);
- Mile Oak Stables (Paddock Wood);
- Oak Tree Farm (Cranbrook & Sissinghurst);
- Touchwood (Paddock Wood);
- Vines Farm (Paddock Wood); and,
- Willow Stables (Paddock Wood).

[* A site is identified for three pitches as part of the strategic proposal at Paddock Wood (including land at east Capel) as set out in Policy STR/SS 1. There is not a

separate plan showing this site. Rather, details will be contained in the future Supplementary Planning Document for that strategic site.]

Additional pitches on these sites will be permitted subject to meeting the criteria below:

1. The density of pitch provision within the application site is ~~maximised~~ **optimised (subject to meeting the requirements of criteria 2-7 below)**, having regard to the minimum separation distances between mobile homes/caravans, etc., as required by any relevant legislation or guidance;
2. The proposal would not cause harm to character or appearance of the landscape, and must be well-screened by existing or additional native vegetation and physically contained by landscaping. This screening should be maintained permanently, and while additional planting could supplement existing landscaping, it should not be used as the only way the impact of new development is mitigated. High fences will not be acceptable for the purposes of screening;
3. Any accommodation provided on the site must be consistent with a nomadic lifestyle;
4. The scale of the proposed development, when considered together with existing Gypsy and Traveller pitches on the site and within the parish, must not be of an unduly large scale relative to the nearest settled community;
5. Foul drainage to a public sewer should be provided where possible. Where it is not, evidence will need to be provided showing that suitable alternative facilities can be provided;
6. Parking provision must be made in accordance with the parking standards as set out in Policy TP 3: Parking Standards; **and,**
7. There is adequate provision for storage and maintenance of equipment, where required.

Proposals that would result in a reduction of the number of pitches within the borough will be refused unless a suitable replacement is found, or the need no longer exists.

~~In exceptional circumstances, e~~**Other proposals for Gypsy and Traveller pitches will be permitted which comply with where all of the above criteria are met and other relevant policies in the Plan.**