

# Annex A

## Planning for traveller sites

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## Introduction

### Application of this planning policy statement

1. Planning policy statements set out the Government's national policies on different aspects of spatial planning in England. This document sets out planning policies for planning for traveller sites. These policies complement but do not replace or override other national planning policies and should be read alongside other relevant statements of national planning policy.
2. The plan making policies in this Statement should be taken into account by the Mayor of London in relation to the spatial development strategy for London, and by local planning authorities in the preparation of their development plan. The preparation of development plans should not be delayed to take the policies in this statement into account.
3. The policies in this Statement are a material consideration which must be taken into account in development management decisions, where relevant<sup>1</sup>. The development management policies in the statement can be applied directly by the decision maker when determining planning applications. It is only necessary for the development plan to reformulate development management policies in this Statement<sup>2</sup> if there are specific factors justifying variation of these policies.

### The government's objectives for traveller<sup>3</sup> sites

4. The Government's overarching objective is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.
5. To help achieve the above objectives the Government's objectives for planning in respect of traveller sites are to:
  - enable local planning authorities to make their own assessment of need for the purposes of planning
  - ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites
  - encourage local planning authorities to plan for sites over a reasonable timescale
  - protect Green Belt from development

<sup>1</sup> See section 38(6) of the *Planning and Compulsory Purchase Act 2004*.

<sup>2</sup> See paragraph 4.31-4.32 of *Planning Policy Statement 12: Local Spatial Planning*.

<sup>3</sup> See Annex A for the definition of traveller for the purposes of this Statement.

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- promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites
- reduce the number of unauthorised developments and encampments and make enforcement more effective
- ensure that the development plan includes fair, realistic and inclusive policies
- increase the number of traveller sites, in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
- reduce tensions between settled and traveller communities in plan making and planning decisions
- enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- have due regard to the protection of local amenity and local environment

## Using evidence

### **Policy A: using evidence to plan positively and manage development**

6. 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
  - b) co-operate 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 in the light of historical demand; and
  - c) use a robust evidence base to establish need to inform the preparation of the development plan and make planning decisions
7. Local planning authorities should, to inform policy development, monitor and critically analyse decisions on applications for sites for travellers compared to those of applications for other types of residential development and other types of caravan site.

## Plan making policies

### Policy B: planning for traveller sites

8. Local planning authorities should set pitch and plot targets<sup>4</sup> which address the likely permanent and transit site accommodation needs of travellers in the light of historical demand.
9. Local planning authorities should, in producing their development plan:
  - a) set out their policies and strategies for delivering their locally set targets, including identifying specific sites that will enable continuous delivery of sites for at least 15 years from the date of adoption
  - b) identify sufficient specific deliverable sites to deliver site need in the first five years (to be considered deliverable, sites should, at the point of adoption of the relevant policy: be available – the site is available now; be suitable – the site offers a suitable location for development now and would contribute to the creation of sustainable, mixed communities; be achievable – there is a reasonable prospect that housing will be delivered on the site within five years)
  - c) in determining how much land is required, not include sites for which they have granted planning permission unless they can demonstrate, based upon robust evidence, that the sites are developable and are likely to contribute to delivering locally set targets at the point envisaged
  - d) allow for provision to be made for other family members who may not themselves physically move their own accommodation onto the site
  - e) consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area
  - f) relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density
  - g) protect local amenity and environment
10. Criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward.
11. Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies:
  - a) promote peaceful and integrated co-existence between the site and the local community

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<sup>4</sup> See Annex A for definitions of 'pitch' and 'plot'.

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- b) promote easier access to health services
- c) ensure that children can attend school on a regular basis
- d) provide a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment
- e) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans; and
- f) reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability

### **Policy C: sites in rural areas and the countryside**

12. When assessing the suitability of sites in rural or semi-rural settings, local authorities should ensure that the scale of such sites does not dominate the nearest settled community.

### **Policy D: rural exception sites**

13. If there is a lack of affordable land to meet local traveller needs, local planning authorities in rural areas, where viable and practical, should consider allocating and releasing sites solely for affordable traveller sites, including using a Rural Exception Site Policy for traveller sites that should also be used to manage applications. A Rural Exception Site Policy enables small sites to be used, specifically for affordable traveller sites, in small rural communities<sup>5</sup>, that would not normally be used for traveller sites. Rural exception sites should only be used for affordable traveller sites in perpetuity. A Rural Exception Site Policy should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection, whilst also ensuring that rural areas continue to develop as sustainable, mixed, inclusive communities.

### **Policy E: traveller sites in green belt**

14. There is a general presumption against inappropriate development within Green Belts. Traveller sites in the Green Belt are inappropriate development, within the meaning of Planning Policy Guidance 2: *Green Belts*.
15. Detailed Green Belt boundaries defined in adopted development plans or earlier approved plans should be altered only exceptionally. If a local planning authority wishes to make an exceptional limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and

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<sup>5</sup> Small rural settlements have been designated for enfranchisement and right to acquire purposes (under Section 17 of the *Housing Act 1996*) by SI 1997/620-25 inclusive and 1999/1307.

not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only.

**Policy F: mixed planning use traveller sites**

16. Local planning authorities should consider, wherever possible, including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents. Local planning authorities should consider the scope for identifying separate sites for residential and for business purposes in close proximity to one another if mixed sites are not practicable.
17. Local planning authorities should have regard to the need that travelling showpeople have for mixed-use yards to allow residential accommodation and space for storage of equipment.
18. Local planning authorities should not permit mixed use on rural exception sites.

**Policy G: major development projects**

19. Local planning authorities should work with the planning applicant and the affected traveller community to identify a site or sites suitable for relocation of the community if a major development proposal requires the permanent or temporary relocation of a traveller site. Local planning authorities are entitled to expect the applicant to identify and provide an alternative site, providing the development on the original site is authorised.

## Development management policies

**Policy H: determining planning applications for traveller sites**

20. Local planning authorities should consider the following issues when considering planning applications for traveller sites:
  - a) the existing level of local provision and need for sites
  - b) the availability (or lack) of alternative accommodation for the applicants
  - c) other personal circumstances of the applicant
  - d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
  - e) that they should determine applications for sites from any travellers and not just those with local connections

21. If local planning authorities have an up-to-date five year supply of deliverable sites and applications come forward for sites that are allocated in the overall land supply, but which are not yet in the up-to-date five year supply, they should consider whether granting permission would undermine achievement of their policy objectives.
22. Local planning authorities should strictly limit new development in open countryside that is away from existing settlements or outside areas allocated in the development plan. However, they should recognise that some rural areas may be acceptable for some forms of traveller sites. Local authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.
23. Local planning authorities should look favourably upon applications that:
  - a) involve the development of previously developed (brownfield), untidy or derelict land
  - b) are well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
  - c) ensure adequate landscaping and play areas for children
  - d) do not enclose a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community
24. Local planning authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including:
  - a) limiting which parts of a site may be used for any business operations, in order to minimise the visual impact and limit the effect of noise
  - b) specifying the number of days the site can be occupied by more than the allowed number of caravans (which permits visitors and allows attendance at family or community events)
  - c) limiting the maximum number of days for which caravans might be permitted to stay on a transit site
25. Local planning authorities should determine applications for sites from any travellers and not just those with local connections.

## Transitional arrangements

26. This planning policy statement comes into effect immediately. From [the date six months after date policy comes into effect], if a local planning authority cannot demonstrate an up-to-date five year supply of deliverable sites, it should consider favourably applications for the grant of a temporary planning permission<sup>6</sup>.

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<sup>6</sup> Policy on the use of temporary permissions is set out in *Circular 11/1995 The Use of Conditions in Planning Permission*.



## Annex A: definitions

1. For the purposes of this planning policy statement “gypsies and travellers” means:

*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

2. For the purposes of this planning policy statement, “travelling showpeople” means:

*Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers as defined above.*

3. For the purposes of this planning policy statement, “travellers” means “gypsies and travellers” and “travelling showpeople” as defined above.
4. For the purposes of this planning policy statement, “pitch” means a pitch on a “gypsy and traveller” site and “plot” means a pitch on a “travelling showpeople” site (often called a “yard”). This terminology differentiates between residential pitches for “gypsies and travellers” and mixed-use plots for “travelling showpeople”, which may/will need to incorporate space or to be split to allow for the storage of equipment.