



**New Local Plan Review**  
**Policy Formulation Report - October 2022**  
**Policy HO8: Gypsy and Traveller Accommodation**



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA

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# 1. NEW LOCAL PLAN REVIEW

- 1.1.1 The Royal Borough of Kensington and Chelsea (RBKC) is undertaking a New Local Plan Review (NLPR) to ensure the Council has an up-to-date and fit-for-purpose Local Plan to guide the development of the Borough and reflect our values.
- 1.1.2 The purpose of this Policy Formulation Report (PFR) is to demonstrate how the HO8: Gypsy and Traveller Accommodation Chapter 3 - Homes of the RBKC NLPR has been developed and evidenced to a level of detail which cannot be included in the NLPR document itself:

## 1.2 EXISTING LOCAL PLAN

- 1.2.1 This topic of the NLPR relates to the following chapter and policy of the existing Local Plan:

### **Chapter 24: Diversity of Housing**

Policy CH6: Gypsy and Traveller Accommodation

## 1.3 KEY ISSUES AND POLICY DRIVER

- 1.3.1 The issues which the Council considers the NLPR needs to address relating to Gypsy and Traveller Accommodation are Need and Supply.

## 2. INTRODUCTION

- 2.1.1 The existing Local Plan Policy CH6: Gypsy and Traveller Accommodation sets out an approach to continue working with a range of partners to increase pitch provision in the Borough and criteria for guiding allocations and assessing additional sites that may come forward.
- 2.1.2 Both Royal Borough of Kensington and Chelsea (RBKC) and London Borough of Hammersmith and Fulham (LBHF) are responsible for the traveller site at Stable Way. The traveller site is jointly managed by the Council and LBHF and has existed since 1974. The site's freehold is owned by Transport for London with a lease to the Council. The Stable Way site is a permanent site and currently comprises a total of 20 pitches, of which 1 is taken up by 'the hut' centre, resulting in 19 available authorised pitches. The site was in LBHF until a boundary change in 1995 and it is now falls within RBKC. The site was previously managed by Hammersmith and Fulham Homes, as an Arm's Length Management Organisation (ALMO). Before that it was managed by LBHF. It is now managed by RBKC Housing Management.
- 2.1.3 As Stable Way is located directly adjacent to the boundary with LBHF and given its history, a Joint Gypsy and Traveller Accommodation Needs Assessment (GTANA) was undertaken jointly with LBHF. the Joint GTANA has been updated to support the RBKC New Local Plan review. A further update may be undertaken by LBHF to support their Local Plan processes as and when necessary. The two boroughs will need to continue working together to update the needs assessment and plan to meet the needs identified.
- 2.1.4 A map of the existing site at Stable Way and the RBKC/LBHF borough boundary is provided as Figure 2.1 below:

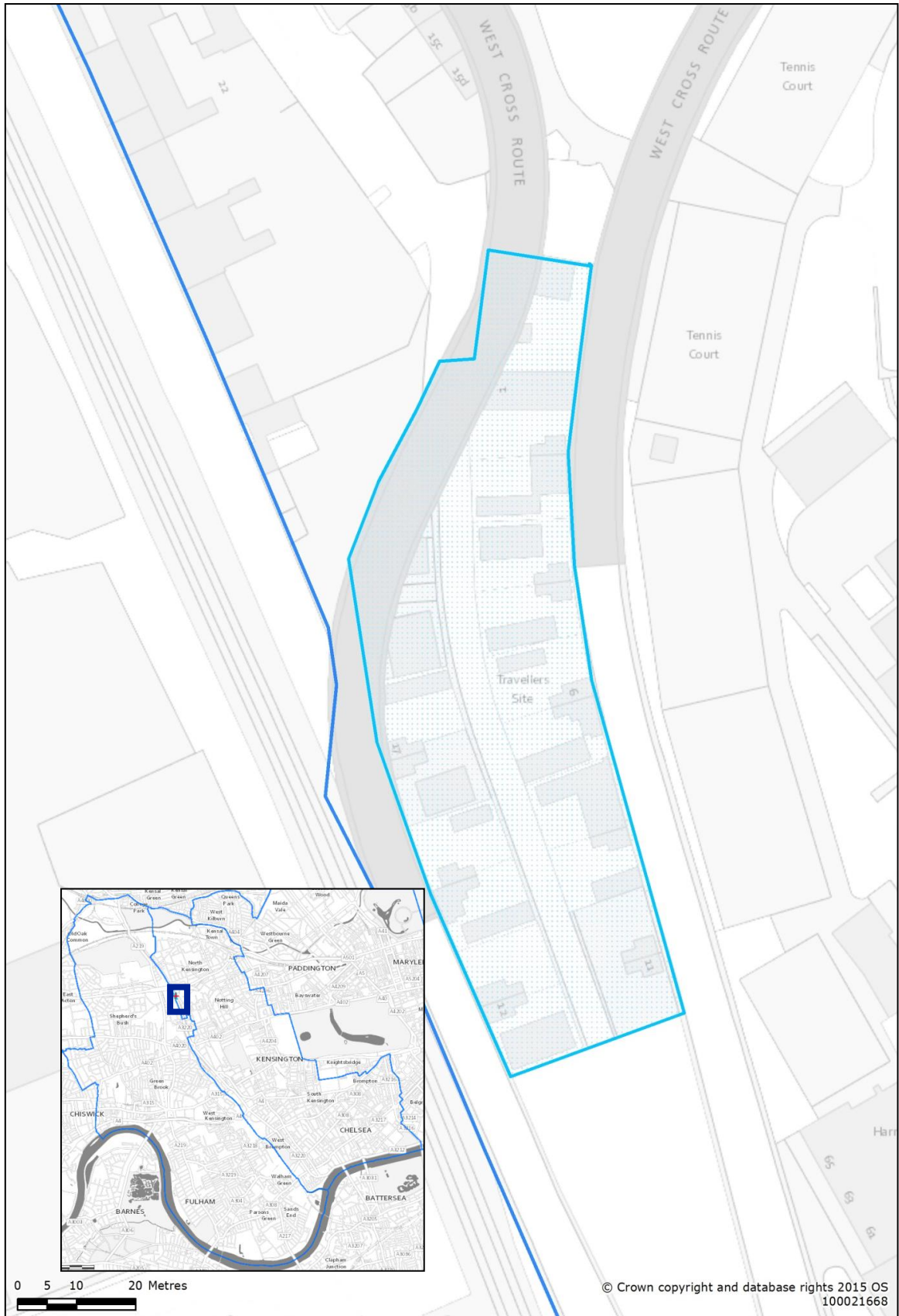


Figure 2.1: The existing site at Stable Way and the RBKC/ LBHF Borough boundary

## 3. LEGISLATION, POLICY AND GUIDANCE CONTEXT

### 3.1 NATIONAL

#### HOUSING ACT 2004 AND HOUSING AND PLANNING ACT 2016

- 3.1.1 Section 124 of the Housing and Planning Act 2016 removes sections 225 and 226 of the Housing Act 2004. This effectively removes the requirement for a specific needs assessment for travellers, although there is a requirement for a general assessment for those residing or resorting to the area. Section 124 of the Act, however, introduces a requirement under Section 8 of the Housing Act 1985 for Local Housing Authorities to undertake a periodical review of housing needs of the people residing or resorting to their area with respect to the provision of sites on which caravans (and houseboats) can be stationed.
- 3.1.2 The Government published Draft Guidance<sup>1</sup> to Local Housing Authorities on the Periodical Review of Housing Needs of Caravans and Houseboats which sets out guidance on how to consider the need for caravans and moorings for houseboats. Following amendments made in the Housing and Planning Act 2016, Section 8 of The Housing Act 1985 now reads:

***Periodical review of housing needs.***

*(1) Every local housing authority shall consider housing conditions in their district and the needs of the district with respect to the provision of further housing accommodation.*

*(2) For that purpose the authority shall review any information which has been brought to their notice, including in particular information brought to their notice as a result of the consideration of the housing conditions in their district under section 3 of the Housing Act 2004.*

*(3) In the case of a local housing authority in England, the duty under subsection (1) includes a duty to consider the needs of people residing in or resorting to their district with respect to the provision of—*

*(a) sites on which caravans can be stationed, or*

*(b) places on inland waterways where houseboats can be moored.*

- *“caravan” has the meaning given by section 29 of the Caravan Sites and Control of Development Act 1960;*
- *“houseboat” means a boat or similar structure designed or adapted for use as a place to live.”*

<sup>1</sup> [Draft Guidance to Local Housing Authorities on the periodical review of housing needs for caravans and houseboats \(March 2016\)](#)

- 3.1.3 The Council, as a local housing authority, therefore has a responsibility for assessing and providing for the accommodation needs of those living in caravans and houseboats, separate to its planning functions.
- 3.1.4 The Housing and Planning Act 2016 does not change requirements on Councils, as a local planning authority, as set out in the Planning Policy for Traveller Sites (PPTS) (see below).

#### THE HOUSING (ASSESSMENT OF ACCOMMODATION NEEDS) (MEANING OF GYPSIES AND TRAVELLERS) (ENGLAND) REGULATIONS 2006<sup>2</sup>

- 3.1.5 Regulation 1(2) of the 2006 regulations makes clear that the regulations apply “**where a local housing authority**... undertakes a review of housing needs in their district under section 8 of the Housing Act 1985” (see above).
- 3.1.6 Regulation 2 of the 2006 regulations include a definition of Gypsies and Travellers but that regulation only applies with regard to section 225 of the Housing Act 2004, which has since been removed by the Housing and Planning Act 2016. The amended section 8 of the Housing Act 1985 (see above) also makes no reference to Gypsies and Travellers. For these reasons, the definition in the regulations is largely redundant. For planning purposes, the definition in the PPTS will apply.

*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, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

*(Planning Policy for Traveller Sites, Annex 1)*

#### EQUALITY ACT 2010<sup>3</sup>

- 3.1.7 The Equality Act does not define race. However, case law has established that Roma Gypsies and Irish Travellers are covered by the protected characteristic of race for the purposes of the Act. Local authorities therefore also have a duty under the Equality Act to actively seek to eliminate unlawful discrimination, advance equality of opportunity and promote good race relations.

#### NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 3.1.8 The NPPF requires local planning authorities to assess local housing needs, this includes for Gypsy and Travellers. The NPPF states that it should be read in conjunction with the Governments PPTS (paragraph 4) and that regard should be

<sup>2</sup> [The Housing \(Assessment of Accommodation Needs\) \(Meaning of Gypsies and Travellers\) \(England\) Regulations 2006](#)

<sup>3</sup> <https://www.legislation.gov.uk/ukpga/2010/15/contents>

had to policies in the Framework where relevant which are as follows:

*60. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed ...*

*61. ... strategic policies should be informed by a local housing need assessment...In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.*

*62. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, ....., travellers<sup>27</sup>)...*

*Footnote 27: Planning Policy for Traveller Sites sets out how travellers' housing needs should be assessed for those covered by the definition in Annex 1 of that document.*

*74. ...Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies<sup>38</sup>*

*Footnote 38: For the avoidance of doubt, a five year supply of deliverable sites for travellers – as defined in Annex 1 to Planning Policy for Traveller Sites – should be assessed separately, in line with the policy in that document.*

*National Planning Policy Framework*

## **PLANNING POLICY FOR TRAVELLER SITES (PPTS)**

- 3.1.9 The Planning Policy for Traveller Sites (PPTS)<sup>4</sup> requires local planning authorities to use a robust evidence base to establish accommodation needs to prepare local plans and make planning decisions. Paragraph 7 also provides that local planning authorities should undertake early and effective community engagement with traveller communities and work collaboratively with neighbouring local planning authorities.
- 3.1.10 The PPTS provides a definition within Annex 1 for the purposes of planning and assessing Gypsy and Traveller Accommodation needs:

*1. For the purposes of this planning policy "Gypsies and Travellers" means:*

*Persons of nomadic habit of life whatever their race or origin, including such*

<sup>4</sup> This policy replaces ODPM Circular 01/2006: Planning for Gypsy and Traveller Caravan Sites and Circular 04/2007: Planning for Travelling Showpeople



*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, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

*2. In determining whether persons are "Gypsies and Travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:*

*a) whether they previously led a nomadic habit of life*

*b) the reasons for ceasing their nomadic habit of life*

*c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.*

*Planning Policy for Traveller Sites, Annex 1*

- 3.1.11 The PPTS must be taken into account in the preparation of development plans and is a material consideration in planning application decisions (paragraph 2). The policy advises that Councils preparing plans for and taking planning application decisions on Traveller sites, should also have regard to the policies in the NPPF so far as relevant. The PPTS contains a number of policies which are listed below:

Policy A: Using evidence to plan positively and manage development

Policy B: Planning for Traveller sites

Policy C: Sites in rural areas and the countryside

Policy D: Rural exception sites

Policy E: Traveller sites in Green Belt

Policy F: Mixed planning use Traveller sites

Policy G: Major development projects

Policy H: Determining planning applications for Traveller sites

Policy I: Implementation

- 3.1.12 One of the Government's aims in the PPTS in respect of Traveller sites is that Councils should "*make their own assessment of need for the purposes of planning*" (paragraph 4). Therefore the Council as a Local Planning Authority must continue to undertake an assessment of the accommodation needs of travellers. The Council has followed the PPTS in preparing the evidence base.

- 3.1.13 In assembling evidence base, Paragraph 7 of the PPTS states:

*a) pay particular attention to early and effective community engagement with both settled and Traveller communities (including discussing Travellers' accommodation needs with Travellers themselves, their representative bodies and local support groups)*

*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 working collaboratively with neighbouring local planning authorities*

- c) *use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions*

*Planning Policy for Traveller Sites, Paragraph 7*

3.1.14 Under Policy B, the PPTS states that local planning authorities should, in producing their Local Plan (paragraph 10):

- a) *Identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets*
- b) *Identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15*
- c) *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 (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries)*
- d) *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*
- e) *Protect local amenity and environment*

*Planning Policy for Traveller Sites, Paragraph 10*

3.1.15 Regarding identifying sites, paragraph 13 of the PPTS states:

*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*
- b) *Promote, in collaboration with commissioners of health services, access to appropriate 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) 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*

*f) Avoid placing undue pressure on local infrastructure and services*

*g) Do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans*

*h) 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.*

*Planning Policy for Traveller Sites, Paragraph 13*

- 3.1.16 Paragraph 11 of the PPTS provides an approach for the application of criteria to guide land supply allocations:

*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. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community.*

*Planning Policy for Traveller Sites, Paragraph 11*

- 3.1.17 Paragraph 12 of the PPTS states that:

*In exceptional cases, where a local planning authority is burdened by a large-scale unauthorised site that has significantly increased their need, and their area is subject to strict and special planning constraints, then there is no assumption that the local planning authority is required to plan to meet their traveller site needs in full.*

*Planning Policy for Traveller Sites, Paragraph 12*

## **GYPSY AND TRAVELLER ACCOMMODATION NEEDS ASSESSMENT GUIDANCE (GTANAG)**

- 3.1.18 This document provided guidance to Councils on how to undertake a Gypsy and Traveller Accommodation Needs Assessment (GTANA) for planning purposes. As noted above, the Housing and Planning Act 2016 omits the legislation which underpins this Guidance. In the absence of other guidance it is still relevant. The Council has therefore used the GTANAG in preparing the evidence base.

## **DRAFT GUIDANCE TO LOCAL HOUSING AUTHORITIES ON THE PERIODICAL REVIEW OF HOUSING NEEDS: CARAVANS AND HOUSEBOATS**

- 3.1.19 In March 2016 the Government published draft guidance on the periodical review

of housing needs of caravans and houseboats. This provides advice to Local Housing Authorities on how to consider the needs of such accommodation where the needs differ from those of the settled community in 'bricks and mortar' accommodation. To date this has not been finalised, however the evidence base has also considered the draft guidance.

## 3.2 REGIONAL

### THE LONDON PLAN

3.2.1 Supporting text to Policy H14 Gypsy and traveller accommodation commits the Mayor to undertake and lead a London-wide gypsy and traveller accommodation needs assessment. The Mayor has recently initiated this work. In advance of this being complete the Policy H14, requires Boroughs to undertake or update their own needs assessments. The policy states:

- A. *Boroughs should plan to meet the identified need for permanent gypsy and traveller pitches and must include ten-year pitch targets in their Development Plan Documents.*
- B. *Boroughs that have not undertaken a needs assessment since 2008 should use the figure of need for gypsy and traveller accommodation provided in Table 4.4 as identified need for pitches until a needs assessment is undertaken as part of their Development Plan review process.*
- C. *Boroughs that have undertaken a needs assessment since 2008 should update this as part of their Development Plan review process.*
- D. *Boroughs should undertake an audit of existing local authority provided gypsy and traveller sites and pitches, working with residents occupying these, identifying:*
  - 1) *Areas of overcrowding*
  - 2) *areas of potential extra capacity within existing sites*
  - 3) *pitches in need of refurbishment and/or provision of enhanced infrastructure (including utilities, open space and landscaping).*
- E. *Boroughs should plan to address issues identified in the audits.*
- F. *Boroughs should actively plan to protect existing gypsy and traveller and Travelling Showpeople or circus people pitch or plot capacity, and this should be taken into account when considering new residential developments to ensure inclusive, balanced and cohesive communities are created.*

*(London Plan Policy H14)*

4.14.2 *The Mayor will initiate and lead a London-wide gypsy and traveller*

*accommodation needs assessment, and will work to support boroughs in finding ways to make provision for gypsy and traveller accommodation. Until the findings of this new London-wide needs assessment are available for use in Development Plans boroughs should continue to plan to meet the need for permanent gypsy and traveller pitches in accordance with the requirements of Policy H14 Gypsy and traveller accommodation, with a particular focus on Part B*

*(London Plan Policy H14 supporting text)*

## MAYOR'S HOUSING SUPPLEMENTARY PLANNING GUIDANCE (SPG)<sup>5</sup>

3.2.2 Paragraph 3.8.6 of the Housing SPG states:

*[The Mayor] recognises that meeting the needs of gypsies and travellers including travelling show people is a strategic issue, but one that is more effectively addressed at the local level. This is because these needs are on a smaller scale relative to those of other groups with particular housing needs, and their impacts are essentially local, so they are most effectively addressed at the local level in light of local circumstances by the agencies best placed to do this – the boroughs.*

3.2.3 Paragraph 3.8.7 of the Housing SPG (March 2016) states that “Where there are issues over cross border coordination of provision, the Mayor will provide support to address these if requested by relevant authorities in circumstances where strategic action will ‘add value’ to the process”.

3.2.4 The SPG was prepared to support the previous London Plan but remains relevant for the implementation of the London Plan 2021. Where there are specific areas of inconsistency between parts of the SPG and the London Plan 2021, the London Plan takes precedence as the most up to date document.

## LONDON HOUSING STRATEGY

3.2.5 The Mayors Housing Strategy recognises the particular needs of the Gypsy and Traveller community across London. Policy 5.2 Meeting London Diverse Housing Needs commits the Mayor to work with a range of stakeholders and the Gypsy and Traveller community to ensure their housing needs are met. Paragraph 5.42 reconfirms that Council should actively plan for the accommodation requirement of London’s Gypsy and Travellers in line with the London Plan Policy.

## 3.3 LOCAL

### EXISTING LOCAL PLAN POLICY

3.3.1 The existing Local Plan policy relating to Gypsy and Traveller accommodation is

<sup>5</sup> <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/housing-supplementary>

set out below.

- 3.3.2 The Council's commitment to meeting the needs of the travelling community in the Borough are set out in Policy CH6 and associated supporting text. The policy commits to working closely with a range of stakeholders to improve and, if possible, to increase capacity at the existing site in the Borough. The policy also provides criteria for assessing application for sites. This is in accordance with PPTS paragraph 11.

#### **Policy CH6: Gypsy and Traveller Accommodation**

The Council will work closely with LBHF, the Mayor of London and TfL to protect, improve and, if possible, increase the capacity of the existing Travellers' site at Stable Way which the Councils jointly manage. Additional sites for temporary or permanent use and any applications at Stable Way should meet the following criteria:

- i. the site can provide for a satisfactory arrangement of pitches, permanent buildings and open space;
- ii. use of the site would have an acceptable effect on the safety and amenity of occupiers of adjoining land;
- iii. use of the site would be acceptable in terms of amenity, safety and local environment for future and / or current Gypsy and Traveller occupiers;
- iv. the use could be supported by adequate physical and social infrastructure (such as access to education, health, welfare and employment) in the locality.

#### **LAND UNDERNEATH AND CLOSE TO THE WESTWAY SPD**

- 3.3.3 The Council has an adopted Westway Supplementary Planning Document (SPD) (December 2012) which provides site specific planning guidance for the future development of the land under and adjacent to the Westway Flyover. This partly includes the Gypsy and Traveller site at Stable Way. Paragraph 4.1.4 of the SPD states that one of the issues identified for the area includes: "*Access into and through the area via Stable Way could be significantly enhanced, together with pedestrian and vehicular access to the Traveller's site*".

#### **SUMMARY**

Date	Document	Organisation
Oct 1985	<a href="#">Housing Act 1985</a> Section 8 has been amended by the Housing and Planning Act 2016	HM Government
Nov 2004	<a href="#">Housing Act 2004</a> Section 225 and 226 have now been omitted by	HM Government

Date	Document	Organisation
	the Housing and Planning Act 2016.	
Dec 2006	<a href="#">Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (England) Regulations 2006</a>	HM Government
Oct 2007	<a href="#">Gypsy and Traveller Accommodation Needs Assessment Guidance (GTANAG)</a> This has been removed and replaced with draft guidance. Draft guidance has not been finalised.	DCLG
Apr 2010	<a href="#">Equality Act 2010</a>	HM Government
Mar 2012	<a href="#">National Planning Policy Framework (NPPF)</a> Paragraph 4, 49 and 159 <a href="#">See also Technical Adjustment</a>	DCLG
Dec 2012	<a href="#">Land Underneath and Close to the Westway Planning Brief SPD</a>	RBKC
Aug 2015	<a href="#">Planning Policy for Travellers Sites (PPTS)</a>	DCLG
Mar 2016	<a href="#">Housing Supplementary Planning Guidance (SPG)</a> Paragraph 3.1.65	Mayor of London
Mar 2016	<a href="#">Draft Guidance to Local Housing Authorities on the Periodical Review of Housing Needs: Caravans and Houseboats</a>	DCLG
May 2016	<a href="#">Housing and Planning Act 2016</a> Section 124	HM Government
May 2018	<a href="#">London Housing Strategy</a>	Mayor of London
Sept 2019	<a href="#">RBKC Local Plan Policy CH6</a>	RBKC
Mar 2021	<a href="#">The London Plan</a> Policy H14 Gypsy and traveller accommodation	Mayor of London

## 4. EVIDENCE BASE

### 4.1 LONDON WIDE GYPSY AND TRAVELLER ACCOMODATION NEEDS ASSESSMENT (GTANA)

- 4.1.1 A London-wide Gypsy and Traveller Accommodation Needs Assessment (GTANA) was undertaken for the Mayor of London in 2008.
- 4.1.2 As part of the London Plan review the GLA Gypsy and Traveller Topic Paper 2017<sup>6</sup> sought to provide an evidence base for the London plan policy, this consolidates and re-presents historical data used for the 2008 study on the traveller community in London and data from the Census 2011.
- 4.1.3 The GLA has initiated a review of London Wide Gypsy and Traveller Accommodation Needs following the adoption of the London Plan 2021. GLA has begun to collect data from London Boroughs and is preparing survey work. It is expected that the work will be completed in 2023.
- 4.1.4 Until this work is complete, London Plan Policy H14 is clear that Boroughs should update their needs assessments as part of their Development Plan review process.

### 4.2 JOINT EVIDENCE BASE WITH THE LONDON BOROUGH OF HAMMERSMITH AND FULHAM (LBHF)

- 4.2.1 The main evidence base is the Joint Gypsy and Traveller Accommodation Needs Assessment (GTANA), October 2022. This was prepared jointly with LBHF to inform the RBKC New Local Plan Review Policy HO8.

#### Supply

- 4.2.2 At the time of the survey there were 18 occupied pitches and 1 vacant pitch. It is expected that 2 pitches (accommodating up to 4 homes) would become available in the first 5 years (see paragraph 4.1.11 below). There were also 1 household, occupying 1 pitch expected to move into housing. Therefore, the supply is 4 pitches.

#### Demand

- 4.2.3 The survey identified that there was a self-identified need for 3 homes in the first 5 years and that 5 homes could be accommodated on existing pitches on the site. Assuming that different family members do not share pitches, and that each pitch accommodates 2 homes, the final demand is for 2 pitches.
- 4.2.4 Therefore, there is currently enough supply to meet demand.

#### Future additional need

- 4.2.5 The Joint GTANA also identified future needs based on emerging households, i.e.,

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<sup>6</sup> [https://www.london.gov.uk/sites/default/files/gla\\_topic\\_paper\\_gypsy\\_and\\_traveller\\_accomodation.pdf](https://www.london.gov.uk/sites/default/files/gla_topic_paper_gypsy_and_traveller_accomodation.pdf)



male children reaching adult age who would require their own pitch. Upon further inspection of the survey results it was established that 2 children from different pitches would reach the age of 18 within the first 5 years period. One of these would be accommodated on an existing pitch as explained by the respondent. The net position for the first 5 years is therefore 1 pitch.

- 4.2.6 At the time of the initial survey there were 2 children on the site currently from 2 different pitches that would reach the age of 18 in in the period 6-10yrs who's needs have not been included in the model. Using the assumption that each pitch could potentially accommodate two homes, and individuals from different families will not share; this results in an additional accommodation need of 2 pitches in the 6 to 10-year period. It is assumed there will be low turnover and supply of one pitch every 5 years. The net position is therefore an **additional 1 pitch**.
- 4.2.7 At the time of the survey, there was 2 children that would reach the age of 18 in this period. Using the same assumption of two homes per pitch, this results in an additional need of **2 pitches in the 11-15 year period**. It is assumed there will be low turnover and supply of one pitch. The net position is therefore an **additional 1 pitch**.

#### Applying the PPTS definition

- 4.2.8 The PPTS definition (August 2015) identifies those that 'have ceased to travel temporarily' will still be considered as a Gypsy and Traveller for planning purposes, however consideration should be given to:
- a) whether they previously led a nomadic habit of life
  - b) the reasons for ceasing their nomadic habit of life
  - c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.
- 4.2.9 Based on best practice and an understanding of local circumstances, both local authorities have established the following for those meeting the planning definition to be. For the purposes of the study those that meet the planning definition are:
- those that travel but also have a permanent site or place of residence;
  - where some members of a unit travel on a regular basis but some members stay at home for children in education, or other dependents with health problems
  - those have temporarily stopped travelling, indicate they will travel again. To apply this aspect, there must be evidence of having previously travelled, when travelling will take place again and the purposes for travelling.
- 4.2.10 Those that do not meet the definition are:
- Those who travel for purposes other than work, for example, visiting friends or relatives;
  - Those that commute to work daily from a permanent residence.
  - Those that have indicated they have no intention of travelling
- 4.2.11 In essence, the PPTS 2015 definition implies that the Local Planning Authority must

distinguish between Travellers that travel and those that have stopped travelling despite their ethnic identity. The Joint GTANA asked respondents about the previous nomadic habit of life, reasons for ceasing their nomadic habit of life and whether they had an intention of living a nomadic habit of life in the future.

- 4.2.12 The survey results showed that none of the respondent fell within the PPTS definition.
- 4.2.13 The Joint GTANA identified a need for an additional 3 additional pitches, applying the PPTS planning definition the GTANA concludes that there is no additional pitches need over the next 15 years.
- 4.2.14 The table below shows the GTANA projections. It presents required pitches for all identified need as well as those falling within the PPTS planning definition.

	Non PPTS compliant (All Self-identified need)	PPTS Compliant
Years 1 to 5	1	0
Years 6 to 10	1	0
Years 11 to 15	1	0
<b>Total (2022 to 2037)</b>	<b>3</b>	<b>0</b>

*Figure 4.1 Accommodation need 2022-2037*

- 4.2.15 The evidence base may need updating to support LBHF’s Local Plan as this progresses. It may also need a future review as and when the GLA London Wide GTANA is published.

**GYPSY AND TRAVELLER ACCOMMODATION SITE APPRAISAL STUDY**

- 4.2.16 As part of the 2016 GTANA, the Council and LBHF had prepared a Joint Site Appraisal Study (SAS) Methodology<sup>7</sup>. RBKC undertook an assessment of locations suggested in the Borough<sup>8</sup> in 2017. There is one site that has the potential to provide two pitches, however progress has been slow for this site coming forward due complicated landowner arrangements and due to the pandemic.
- 4.2.17 As part of the 2022 GTANA survey the Councils sought to identify any possible land for consideration known to the Traveller community. Respondents identified Scrubs Park as a possible site for consideration which is located within LBHF. This site had also been put forward in the 2017 study and is a site that LBHF will be assessing. LBHF have not had the opportunity to move forward with their site appraisal work following the adoption of their Local Plan in 2018.
- 4.2.18 RBKC also undertook a recent Call for Sites as part of the New Local Plan Review consultations, no sites came forward for gypsy and traveller use. This may reflect that there are alternative, higher value, land uses and there may be a reluctance for offering up land for this type of development.

<sup>7</sup>[https://planningconsult.rbkc.gov.uk/gf2.ti/f/799106/26726949.1/PDF/-/GTASAS\\_Joint\\_Methodology\\_May\\_2017.pdf](https://planningconsult.rbkc.gov.uk/gf2.ti/f/799106/26726949.1/PDF/-/GTASAS_Joint_Methodology_May_2017.pdf)

<sup>8</sup>[https://planningconsult.rbkc.gov.uk/gf2.ti/f/799106/26793701.1/PDF/-/Gypsy\\_and\\_Traveller\\_Accommodation\\_Site\\_Appraisal\\_Study\\_GTASAS\\_May\\_2017.pdf](https://planningconsult.rbkc.gov.uk/gf2.ti/f/799106/26793701.1/PDF/-/Gypsy_and_Traveller_Accommodation_Site_Appraisal_Study_GTASAS_May_2017.pdf)

4.2.19 In accordance with the PPTS, criteria has been included in Policy HO8 to provide the basis for decisions in case applications for travellers sites/pitches come forward.

### COUNT OF TRAVELLER CARAVANS ('CARAVAN COUNT')

4.2.20 DLUHC compiles data from local authorities in England providing snapshots of the count of caravans twice a year (January and July). The data from the Caravan Count published in June 2020<sup>9</sup> for RBKC is set out below:

	2016		2017		2018		2019		2020		2021		2022	
	Jan	Jul	Jan	Jul	Jan	Jul	Jan	Jul	Jan	Jul	Jan	Jul	Jan	Jul
RBKC*	27	32	31	30	31	27	27	22	23	-	-	22	23	-
LBHF*	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Figure 4.2: Traveller caravan count, January 2022 (From Live Table 1 of Caravan Count, January 2022 published June 2022), DLUHC

\*All socially rented, no other tenures

	Total number of pitches†	Caravan capacity
RBKC <sup>1</sup>	19	38
LBHF <sup>2</sup>	N/A	N/A

Figure 4.3: Traveller and travelling showpeople caravan sites provided by local authorities and private registered providers in England, January 2020 (From Live Table 2 of Caravan Count, January 2020 published June 2020), DLUHC

†All residential pitches, none transit, there are no Travelling Showpeople pitches in the two Boroughs

<sup>1</sup> All pitches are Local Authority provided and managed by RBKC Housing Management

<sup>2</sup> The 19 pitches were in Hammersmith and Fulham and now fall within Kensington and Chelsea following a boundary change.

### SUMMARY

Date	Document	Organisation
Mar 2008	London Boroughs' Gypsy and Traveller Accommodation Needs Assessment: Final Report	Fordham Research for the Mayor of London
Dec 2016	<a href="#">Joint Gypsy and Traveller Accommodation Needs Assessment (GTANA)</a>	RBKC, LBHF
May 2017	<a href="#">Gypsy and Traveller Accommodation Site Appraisal Study</a> Joint Methodology	RBKC, LBHF
May 2017	<a href="#">Gypsy and Traveller Accommodation Site Appraisal Study</a>	RBKC
2017	<a href="#">GLA Gypsy and Traveller Accommodation Topic Paper 2017</a>	Mayor of London

<sup>9</sup> <https://www.gov.uk/government/collections/traveller-caravan-count>

Jun 2020	<a href="#">Count of Traveller Caravans (Caravan Count)</a>	DLUHC
Oct 2022	Joint Gypsy and Traveller Accommodation Needs Assessment (GTANA) Update	RBKC

## 6. OPTIONS, CONSULTATION AND INTEGRATED IMPACT ASSESSMENT (IIA)

### 6.1 OPTIONS, CONSULTATION AND INTEGRATED IMPACT ASSESSMENT (IIA)

6.1.1 Alternative options were consulted on as part of the Borough Issues (September 2020) and Issues and Options (July 2021) consultation documents. The Consultation Schedules and Consultation Summaries for these are set out in the Consultation Statement published alongside the Regulation 19 Publication Policies (September 2022) consultation document. Consultation responses have been reviewed and used to inform the development of, and modification to, the draft NLPR Policies.

6.1.2 A breakdown of the public consultations undertaken by RBKC to inform the production of the NLPR is set out in the table below.

Public Consultation	Timeframe
Borough Issues Consultation	29 September – 10 November 2020
Issues and Options Consultation	26 July – 4 October 2021
Regulation 18 Draft Policies	9 February – 23 March 2022
Regulation 19 Publication	October 2022

Figure 6.1 RBKC NLPR Consultation Timeline.

6.1.3 The options considered through the consultations and within the Integrated Impact Assessment (IIA) are summarised below.

6.1.4 The Council has considered the options particularly in light of the ‘tests of soundness’ which are set out in the NPPF:

- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs<sup>21</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternative, and based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

<sup>21</sup> Where this relates to housing, such needs should be assessed using a clear and justified method, as set out in paragraph 61 of this Framework.

## NEED

- 6.1.5 There are no options and alternatives as the Council must assess the accommodation needs of the gypsy and traveller community as required by the Planning Policy for Traveller Sites.

## SUPPLY

- 6.1.6 The options and alternatives considered are:

Option	Status	Reason
1 Maintain the existing Local Plan Policy CH6 as it is.	Preferred Option	<p>Stable way is the only Gypsy and Traveller site in the Borough with an established community and there is limited scope for additional sites to come forward. We need to ensure it is safeguarded for the accommodation needs of the traveller community.</p> <p>The existing policy provides a flexible approach to supporting additional capacity, if possible and necessary, at the existing Stable Way site and provides criteria for assessing planning applications for additional sites should any come forward. The use of criteria is consistent with paragraph 11 of the PPTS.</p> <p>This approach will continue to safeguard the existing site.</p>

Option	Status	Reason
2	Reasonable Option	The existing Site Appraisal Study establishes possibilities taking into account limitations within and around the existing site. Works is ongoing to bring forward a site adjacent to the Stable Way to accommodate 2 additional pitches.

## 6.2 PUBLICATION POLICIES

- 6.2.1 Following consideration of the options presented above, consultation and reasonable alternatives, Policy HO8: Gypsies and Travellers Accommodation is proposed as follows.

### **HO8: Gypsies and Traveller Accommodation**

- A. The Council will work closely with London Borough of Hammersmith and Fulham (LBHF), the Mayor of London and TfL to protect, improve and, where necessary and if possible, increase the capacity of the existing Travellers' site at Stable Way. Additional Sites for temporary or permanent use and any applications at Stable Way should meet National Planning Policy for Traveller Sites and the following criteria.
1. The site can provide for a satisfactory arrangement of pitches, permanent buildings and open space;
  2. Appropriate essential services including water and waste disposal can be provided;
  3. Use of the site would have an acceptable effect on the safety and amenity of occupiers of adjoining land;
  4. Use of the site would be acceptable in terms of amenity, safety and local environment for future and / or current Gypsy and Traveller occupiers;
  5. The use could be supported by adequate physical and social infrastructure (such as access to education, health, welfare and employment) in the locality.
  6. The site is not located in an area at high risk of flooding, including functional floodplains.

## 6.3 PROPOSALS MAP

- 6.3.1 No changes are required to be made to the Proposals Map.

## 7. DUTY TO COOPERATE AND STRATEGIC ISSUES

- 7.1.1 The legal obligation of the ‘duty to cooperate’ requires the Council to “engage constructively, actively and on an ongoing basis” and have “regard to activities” (i.e. strategies, plans, policies) of other bodies in the preparation of Local Plans “so far as relating to a strategic matter”. This includes “considering whether to consult on and prepare... agreements or joint approaches”<sup>10</sup>.
- 7.1.2 A “strategic matter” relates to “sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular)... in connection with infrastructure that is strategic”<sup>11</sup>. Strategic matters are further defined in paragraph 24 - 27 of the NPPF<sup>12</sup> and paragraph 009 - 017 of the PPG on maintaining effective cooperation<sup>13</sup>.
- 7.1.3 Figure 7.1 shows the actions the actions the Council has taken with regard to the duty and the relevant prescribed bodies.
- 7.1.4 The Council has prepared a statement ground which sets out where we are in agreement with neighbouring authorities. This will be amended as and when appropriate.

Prescribed bodies / LPAs <sup>14</sup>	Action(s)	Date(s)
All	The Council has had regard to all relevant strategies, plans and policies of the relevant prescribed bodies in preparing the policies – as set out in Legislation, Policy and Guidance sections of Policy Formulation Reports (PFRs)	Ongoing
All	New Local Plan Review Issues consultation – see Consultation Schedule	Sept to Nov 2020
All	New Local Plan Review Issues and Options consultation – see Consultation Schedule	July to Oct 2021
All	New Local Plan Review Regulation 18 Draft Policies consultation – see Consultation Schedule	Feb to Mar 2022
LBHF	RBKC/LBHF Planning Policy Liaison meetings	Quarterly

<sup>10</sup> Section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010.

<sup>11</sup> Section 33A(4) of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010.

<sup>12</sup> [MHCLG, National Planning Policy Framework \(NPPF\), July 2021.](#)

<sup>13</sup> [DLUHC, MHCLG, Planning Policy Guidance, October 2021.](#)

<sup>14</sup> Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012



Prescribed bodies / LPAs <sup>14</sup>	Action(s)	Date(s)
GLA	London Wide GTANA meetings	Quarterly

*Figure 7.1: Duty to cooperate strategic issues, prescribed bodies and Council action*



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA

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