

Committee Name: Cabinet

Committee Date: 06/07/2022

Report Title: Greater Norwich Local Plan: Focused consultation on possible sites for Gypsy and Traveller accommodation

Portfolio:	Cabinet member for inclusive and sustainable growth
Report from:	Executive director of development and city services
Wards:	All
OPEN PUBLIC ITEM	

Purpose

To seek member approval for a focused consultation on the Greater Norwich Local Plan (GNLP) proposed Gypsy and Traveller sites to take place from 25th July to 7th September 2022. The consultation would seek views on three proposed sites and allow landowners to promote other Gypsy and Traveller sites for inclusion in the GNLP.

Recommendation:

It is recommended that Cabinet:

- 1) approves a focused consultation on the Greater Norwich Local Plan (GNLP) proposed Gypsy and Traveller sites; and
- 2) agrees to delegate authority to the executive director of development and city services, in consultation with the cabinet member for inclusive and sustainable growth, to agree consultation materials prior to the public consultation.

Policy Framework

The Council has five corporate aims, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.

- The city has an inclusive economy in which residents have equal opportunity to flourish.
- Norwich City Council is in good shape to serve the city.

This report's content addresses the following corporate aims of: Norwich is a sustainable and healthy city; and Norwich having the infrastructure and housing it needs to be a successful city. The provision of gypsy and traveller accommodation through making site specific allocations will help ensure that this group's housing needs are addressed.

This report helps to meet the following objective of the COVID-19 Recovery Plan:

Item 5: Housing, regeneration and development:

- Make progress on the Greater Norwich Local Plan to put in place a framework to guide development in the city and encourage it to be well designed and genuinely sustainable.
- Make the most of its own land holdings and financial capability to maximise rates of housing delivery through exemplary homes that meet the needs of the people of Norwich and develop a pipeline of sites that can be delivered over the medium to long-term.

Introduction

1. This report concerns a focused GNLP consultation on sites for Gypsy and Traveller accommodation.
2. No potential Gypsy and Traveller sites were submitted in the GNLP for consideration prior to its submission for independent examination. Subsequently officers have undertaken a process of extensive proactive engagement and site assessment to identify suitable allocation sites.
3. When cabinet considered the possible submission of the GNLP in July 2021 it resolved specifically to “commit to proactively identify and bring forward sufficient Gypsy and Traveller sites to meet identified needs in accordance with the criteria-based policies of the current and emerging Development Plans”. This allowed for the lack of identified and allocated Gypsy and Traveller accommodation sites to be addressed through the examination hearings without adding undue additional delay to plan adoption.
4. In accordance with this, during the examination of the GNLP, the appointed Inspectors have indicated that they would require Gypsy and Traveller accommodation needs to be addressed through the allocation of sites.
5. The allocated sites would need to appropriately provide specific deliverable sites for the 5 years between April 2022 and March 2027 and provide developable sites for the 5 years from April 2027 to March 2032. Without such provision it is likely that the plan will be found unsound. If possible, sites needed for the 5 years from April 2032 to March 2037 should also be identified, thereby bringing the GNLP in accordance with the expectations set out in paragraph 68 of the National Planning Policy Framework (NPPF).
6. This report seeks Cabinet’s agreement to undertake a focused consultation on three potential Gypsy and Traveller allocation sites that have been identified from this work. Furthermore, to ensure that the best and most appropriate sites are chosen, the consultation will also give landowners another chance to submit land for inclusion in the GNLP but this will be strictly limited to the promotion of Gypsy and Traveller sites.
7. The results of the focused consultation will subsequently be submitted to the independent inspectors who will take decisions about which Gypsy and Traveller sites to include in the GNLP. Based on discussions that have taken place at the GNLP examination hearing sessions, and subject to the outcome of the consultation, officers conclude that the appointed independent inspectors are highly likely to seek to allocated Gypsy and Traveller accommodation sites in their consultation on main modifications to the plan later in the 2022. The consultation on main modifications is the final step prior to the Inspector’s issuing their final report. Accepting that modifications will be necessary, it remains the expectation of officers that the final inspectors’ report will provide a basis on which the GNLP could be adopted.

Focused consultation on Gypsy and Traveller accommodation

8. Deciding how many Gypsy and Traveller pitches are required is a matter for the councils based on evidence. This evidence is then tested as part of the independent examination of the plan. Recently updated evidence has been produced by RRR Consultancy on behalf of the councils. This evidence is a new Gypsy and Traveller Accommodation Assessment (GTAA) and is linked to in the [GNLP evidence library](#) (ref B8.3). Paragraph S2 of the Executive Summary clarifies that this new evidence supersedes any previous GTAA published for the Greater Norwich local planning authorities. This evidence is being shared with interested stakeholders and will be submitted to the inspectors. This evidence is very likely to be the subject of discussion at the forthcoming reconvened autumn hearing sessions.
9. The GTAA shows that the Greater Norwich area requires a total of 50 residential Gypsy and Traveller pitches between 2022/23 and 2037/38, in addition to 27 pitches that already have planning permission but are yet to be constructed. Of the 50 pitches required between 2022/23 and 2037/38, it is anticipated that 10 pitches are required by March 2027 to meet the 5-year Planning Policy for Traveller sites (PPTS, 2015) need, and a further 8 pitches required for the PPTS need over years 6-10 up to March 2032. The remaining 32 pitch requirement relates to the ethnic need of Gypsies and Travellers who have ceased to travel which the PPTS does not specifically require local authorities to meet. The criteria-based policy set out with Policy 5 of the GNLP allows for further windfall sites to come forward that can contribute to accommodation needs beyond those required for the PPTS.
10. To provide options to find the residential pitches required, three possible sites have been identified for inclusion in the Gypsy and Traveller Focused Consultation from 25th July and 7th September. None of the sites are located in Norwich City Council's administrative area. It should be noted that the existing, city council owned, gypsy and traveller site at Swanton Road is in the process of being extended through provision of an additional 13 units; at the time of writing construction is almost complete.
11. The proposed consultation sites are:
12. **Cawston: GNLP5004, Land off Buxton Road, Eastgate, for approximately 4 pitches.** This is the only privately owned site promoted. The landowner put the site forward in winter 2021/22 when they became aware sites were still being sought for inclusion in the GNLP. The landowner has also stated their willingness to make the land available and as a relatively unconstrained greenfield site there is no reason why development could not come forward quickly.
13. **Costessey: GNLP5007, Land off Bawburgh Lane, north of New Road and east of A47. Incorporation of a Gypsy and Traveller Site into the Costessey Contingency Site, for approximately 18 pitches.** This site is a variation of the contingency site GNLP0581/2043, which measures 62 ha, and is being promoted as a residential-led urban extension of approximately 800 homes. Norwich City Council is a part owner in the land promoted as GNLP0581/2043 and would enable a Gypsy and Traveller site to be developed as part of the urban extension. However, a key issue and risk is timing, and every effort will be necessary to accelerate this site's delivery in order

that it can help provide the 10 pitches required by March 2027 to meet the 5-year PPTS need, and the further 8 pitches required for the PPTS need over years 6-10 up to March 2032.

14. **Wymondham: GNLP5005 Wymondham Recycling Centre, Strayground Lane, for approximately 2 pitches.** This site is owned by Norfolk County Council and is currently used as Wymondham Recycling Centre. Norfolk County Council has announced its intention to move the recycling centre to another location and when this happens GNLP5005 could become available for redevelopment as a Gypsy and Traveller site.
15. The focused consultation on possible sites to provide residential pitches for Gypsies and Travellers is currently planned to take place between 25 July and 7 September 2022. It will give the opportunity for all interested groups and individuals to have their say on the proposed sites. The comments made will then be available for the inspectors to consider when deciding on which sites to go forward as allocations to include in the GNLP.
16. The three sites listed as part of the consultation currently represent the best opportunities for provision but this might change if landowners put forward new land for Gypsy and Traveller sites through the consultation. It will be important to ensure that 10 pitches can be delivered by 2027.
17. As part of the consultation respondents will be able to comment on the three sites as well as various pieces of supporting evidence. These documents are the:
 - Sustainability Appraisal of the Greater Norwich Local Plan Gypsy and Traveller Sites and Policies, by Lepus Consulting
 - Habitats Regulations Assessment of published Proposed Submission Greater Norwich Local Plan – Gypsy and Traveller Sites Addendum, by The Landscape Partnership
 - Housing and Economic Land Availability Assessment (HELAA) Addendum IV (May) 2022
 - Gypsy and Traveller Site Assessment Booklet
18. The consultation versions of these documents are in preparation and will be published under delegated powers for consultation alongside the proposed sites.
19. The GNLP has been prepared with regard to the Public Sector Equality Duty, as defined by the Equality Act 2010, and this consultation represents a further positive step in meeting the Public Sector Equality Duty. Gypsies and Travellers are a key ethnic minority in the area and making specific site allocations will give added assurance that this group's housing needs are addressed in line with the requirements of the PPTS.
20. Publicity relating to the consultation will be undertaken where appropriate in line with the Communications Protocol agreed by the Greater Norwich Development Partnership (GNDP) Board in 2017, updated in 2019. Cllr Shaun Vincent, as chair of the GNDP, will be the nominated spokesperson for all media. All media responses will be co-ordinated by the communications lead for the project, Broadland & South Norfolk Joint Marketing and Communications team, in liaison with other partners. Similar reports to this one will

be considered by South Norfolk Council Cabinet on 11 July and Broadland District Council Cabinet on 19 July.

21. In the interests of efficiency, and continuing the successful approach taken at previous consultations, respondents will be encouraged to respond online, although written responses will also be accepted either by post or via email. The GNLP team will facilitate anonymous comments in line with its previous approach, which was for them to be made via District Councillors.

Next Steps

22. After the consultation on Gypsy and Traveller sites closes in September it is anticipated that the Inspectors will hold a further hearing session. This will likely be in October during which time the inspectors will decide which sites are included in the main modifications consultation, and which will ultimately form part of the GNLP when it is adopted.
23. The consultation into main modifications arising from the examination is expected to be held over the winter 2022/23. Following this, the Inspectors will produce a report including the main modifications required to make the plan sound. The plan can only be adopted by the councils with the inclusion of the Inspectors' main modifications.
24. Given the time that has elapsed, the addition of the focussed consultation on Gypsy and Traveller sites, and the deferral of some hearing sessions means that adoption of the plan is likely to be at the end of April 2023, rather than September 2022 as previously anticipated.

Implications

Financial and resources

25. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan and Budget.
26. The focussed consultation will be undertaken within the current GNLP officer resource and covered by the existing GNLP budget.

Legal

27. The council is obligated by the Planning and Compulsory Purchase Act 2007, as amended by the Town and Country Planning (Local Planning) (England) Regulations 2012 to produce a local plan. In preparing its local plan, the Council must be consistent with policies in the National Planning Policy Framework and take into account the government's planning policy for traveller sites.
28. The consultation is required by the GNLP Inspectors and consequently is essential to ensuring the adoption of a sound local plan. Associated with

plan-making are statutory requirements for Sustainability Appraisal and Habitat Regulations Assessment which are also being followed as part of this focused consultation.”

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	The GNLP has been prepared with regard to the Public Sector Equality Duty, as defined by the Equality Act 2010. This consultation represents a positive step in meeting the Public Sector Equality Duty.
Health, Social and Economic Impact	This report does not have any direct implications for the council's health, social and economic considerations, but the subsequent delivery of gypsy and traveller accommodation will have positive health and social impacts for the gypsy and traveller community in Greater Norwich.
Crime and Disorder	This report does not have any direct implications for the council's crime and disorder considerations.
Children and Adults Safeguarding	This report does not have any direct implications for the council's Safeguarding Policy statement.
Environmental Impact	A Sustainability Appraisal and Habitat Regulations Assessment has been undertaken alongside the site assessment process to ensure that the environmental impacts of proposed site allocations are fully understood.

Risk Management

Risk	Consequence	Controls Required
Failure to consult on, and allocate, sufficient sites for gypsy and traveller accommodation is likely to have negative implications for the soundness of the GNLP.	Delays to the examination process and potentially leading to the plan being found unsound, and the possibility of a public sector equality duty challenge.	Identification of sites will assist in ensuring the soundness of the GNLP to support future housing delivery

Other Options Considered

29. If consultation is not undertaken on the potential allocations sites it will prevent the inspectors from undertaking a subsequent consultation on modifications likely to be necessary for the soundness of the GNLP. Therefore, choosing not to agree to undertake the proposed consultation carries a strong likelihood of the GNLP being found unsound which would mean that the plan could not be adopted. Officers do not consider that there is evidence to justify this option as reasonable.
30. Rather than seeking to enable the inspectors to modify the plan, and to allocate sites to meet the needs of Gypsy and Travellers, the GNLP could propose that a single-issue review is undertaken. However, it is not certain that the inspectors would accept this approach.
31. Moreover, even if it were to be acceptable in principle, officers have undertaken an extensive investigation into potential site for Gypsy and Travellers and it is considered unlikely that the site options to be contained within any single-issue plan would differ significantly from those proposed here. The production of a single-issue plan would also entail further time, cost and risk. The failure to allocate sites for Gypsy and Travellers in the GNLP would also continue the current absence of a 5-year land supply for Gypsy and Traveller Sites, which will impact on the Council's decision-making process. Therefore, officers would caution against this approach.

Recommendations

32. That Cabinet approves a focussed consultation on GNLP proposed Gypsy and Traveller sites to take place from 25 July to 7 September 2022, and agrees to delegate authority to the Executive director of development and city services, in consultation with the Cabinet member for inclusive and sustainable growth, to agree consultation materials prior to the public consultation

Reasons for the decision/recommendation

33. The reason for the recommendations is that Cabinet's approval is required, along with that of Broadland and South Norfolk Councils, for the focussed consultation on Gypsy and Traveller accommodation.

Background papers: None.

Appendices: None

Contact Officer: Judith Davison
Planning policy team leader
Telephone number: 01603 989314
Email address: judithdavison@norwich.gov.uk