

Question 50

I would welcome the Council's observations on representation 2643 from Mr Steven Doel of Nexus planning Ltd on behalf of Gleeson Strategic Land arguing that policy S6 is unjustified.

AVDC's response:

Steven Doel's representation claims that based on its own evidence base, the Council has incorrectly and unnecessarily sought to over-provide Gypsy and Traveller pitches to meet the needs of all 'unknown' households. It instead argues that the Council should plan for no more than the 8 pitches known to be required by those meeting the Government's definition of Gypsy's Travellers and for those 'unknown' households that subsequently demonstrate that they meet the definition. The representation points out that ORS's evidence suggests that this is likely to be around 10% which would result in a further 8 pitches for Gypsies and Travellers and only 1 for Travelling Showpeople, i.e. 17 additional pitches in total.

The representation goes on to contend that the Council's strategy for the provision of this significantly reduced number of pitches should be to provide them on expanded / intensified existing sites which already meet the locational requirements of Policy D10.

Since the Government changed the definition of Gypsy and Travellers for planning purposes in the updated Planning Policy for Traveller Sites' (PPTS) published in 2015, only a small number of Local Plans addressing the needs of Gypsy and Travellers have gone through their examination and as such its not clear exactly how the definition should be applied, particularly with regard to the need which arises from those where it is unknown whether they meet the definition. In Aylesbury Vale this makes up a large proportion of the need so careful consideration has been given to this issue.

ORS set out their position and evidence on the 'unknown' proportion of Gypsy and Traveller need in the 2017 needs assessment (CD.G&T.003) at paragraphs 3.25 – 3.22 and 7.24-7.28. Their evidence is that only a small proportion, around 10%, of the total number are likely to meet the definition based on the work done by ORS to date, but that potentially all of those in the unknown category could meet the definition. ORS suggest that careful consideration is given to how to address this issue and they suggest the option of allocating for those known to have need and meet the definition and having a criteria based policy for those who are unknown but prove they meet the definition in the future (paragraph 3.32).

Following completion of the report by ORS the Buckinghamshire authorities held a joint workshop with an independent advisor who had knowledge of the emerging national case law and accepted approaches in relation to travellers. This allowed an informed discussion around how to take the matter forward in the most reasonable and consistent manner in our respective local plans. This discussion centered on whether a 10% provision was appropriate and it was felt that given the level of unknowns in AVDC such an approach would strongly risk insufficient provision and so would not be reasonable.

The approach taken in the VALP, including reference to the information from ORS's report, is explained in more detail in the Housing Topic Paper (CD.TP.001) from paragraph 8.15 to 8.23.

The council considers that it has correctly interpreted the Government's Planning Policy for Travellers and there is no need to modify the plan to address this representation.