

# MERTON SITES AND POLICIES PLAN (the Plan) Public Examination

## MAIN MATTERS AND ISSUES

**Q3. Gypsies Travellers and Travelling Showpeople Paragraph 18.53 of the Core Strategy says additional pitches for Gypsy and Traveller's accommodation will be delivered through the Site Allocations DPD or an Action Area Plan. The Plan does not do this. Is this approach justified?**

**In particular:**

- **is the assessment of the need for such accommodation based on robust evidence?**
- **is the judgement that there are no deliverable or developable sites for such accommodation based on robust evidence?**

The question will be taken in three parts:

**Paragraph 18.53 of the Core Strategy says additional pitches for Gypsy and Traveller's accommodation will be delivered through the Site Allocations DPD or an Action Area Plan. The Plan does not do this. Is this approach justified?**

- 3.1 Yes, this approach is justified.
- 3.2 Merton's Core Planning Strategy **SP3.2** Policy CS.10 *Accommodation for Gypsies and Travellers* sets out the council's protection of the existing permanent traveller site and sets out criteria under which new traveller sites will be assessed.
- 3.3 In the justification to Policy CS10, paragraph 18.51 states: *"We will conduct a local assessment in collaboration with local Gypsies and Traveller communities to identify accommodation needs. Whatever the level of need that is identified either via a local or sub-regional needs assessment for Merton, it is considered that there are robust and clear criteria to help deliver additional pitches"*
- 3.4 Paragraph 18.53 states: *Additional pitches for Gypsies and Travellers accommodation in Merton will be delivered through the Local Development Framework (Site allocations DPD or an Area Action Plan) or the council's asset management or private windfall sites"*
- 3.5 In accordance with paragraph 18.51, Merton Traveller Accommodation Needs Assessment (**SP5.61**) assessed the accommodation needs for travellers in Merton and concludes that the requirement for four pitches in the next 10 years can be met via the vacancies on the existing site at Brickfield Road. Brickfield Road is owned by the council and managed by the Registered Provider Merton Priory Homes on behalf of the council. Therefore this approach is in line with paragraph 18.53 in using the council's assets to identify accommodation need for pitches. This approach is also in line with the London Plan 2011 (SP2.1)

strategy of planning for growth: - *“ensuring London has the homes, jobs, services, infrastructure and opportunities a growing and ever more diverse population requires. Doing this in ways that do not worsen quality of life for London as a whole means we will have to ensure we make the best use of land that is currently vacant or under used...”* (SP2.1, Strategy chapter, paragraph 1.48)

**In particular:**

- **is the assessment of the need for such accommodation based on robust evidence?**

- 3.6 Yes, the assessment of the need for such accommodation is based on robust evidence.
- 3.7 In accordance with paragraph 18.51, Merton Traveller Accommodation Needs Assessment (SP5.61) comprehensively demonstrates the following matters.
- 3.8 **SP5.61** sets out the aims and objectives of the research, including the national policy background for planning, housing and homelessness in the context of Gypsy and Travellers and the overlap and differences between them. It sets out the approach taken for assessing accommodation needs, including the consideration of the “psychological aversion to bricks and mortar” and the consideration of accommodation “needs” for all types of housing and “requirement”, which includes preference as well as need.
- 3.9 **SP5.61** sets out the background to the research, including the Mayor’s Fordhams Gypsy and Traveller Accommodation Needs Assessment research conducted in 2007: its interviewing of 18 gypsy and travellers from Merton and its final assessment that the local need for Merton would be for 4 pitches, rising to 16 if those identified as having a psychological aversion to bricks and mortar was taken into account as being in need for caravan pitches.
- 3.10 **SP5.61** sets out the Mayor of London’s position from 2008 to 2013 (NB: this is also set out in the council’s response to Main Matter 1 of this examination). It mentions the changes between the consultation drafts of the London Plan (2009 and 2010); illustrating the Mayor of London’s eventual opinion that the previous government approach which informed the Fordhams research, as *“excessively complex and prescriptive, sought spurious levels of accuracy in target setting and required a blanket, nationwide approach ill suited to the unique circumstances of London (particularly its unique governance arrangements and the pressures on its scarce resources of developable land”*. (paragraph 113, London Plan Minor Alterations consultation, Sept 2010). SP5.61 also sets out the Mayor’s conclusion published in the London Plan 2011 (**SP2.1**) that Gypsy and Traveller accommodation needs should be assessed and managed locally, unlike other housing matters.
- 3.11 **SP5.61** sets out Merton’s situation, including the approach, previous research and recent investment in the Brickfield Road site, the number of relets that has taken place over the previous 5 years (2 relets) with 2 more relets forecast over

the next 5 years, the Census 2011 results for Merton on the number of people identifying themselves as from a gypsy or traveller ethnic group. It sets out the approach taken for assessing accommodation needs, including the consideration of the “psychological aversion to bricks and mortar.”

- 3.12 SP5.61 summarises the well-known difficulties of authorities identifying and engaging successfully with Gypsy and Traveller communities and the routes we have tried in Merton. It sets out the background that Merton took to the October 2001 research where the council commissioned the traveller-led Ambition Group to advertise and host an event which ended up with 138 attendees, mostly from the travelling community. The council have established a close working relationship with The Ambition Group, which promotes the culture of Gypsies and Travellers and engages around 50 young people and their parents from the Gypsies and Travellers community, and is a known local group run by members of the community.
- 3.13 **SP5.61** explains in detail the reasoning behind the snowballing technique used at the October 201, including its appropriateness as an effective engagement technique for ‘hard to reach groups’. **SP5.61** also explains the number, details and length of the questions used, and the relative success of interviewing 38 people at the event, 19 of whom gave Merton addresses (this is more than the 18 interviews conducted by the pan London Fordhams research work in 2007)
- 3.14 **SP5.61** details the December 2012 research conducted specifically on the caravan pitches at Brickfield Road, which successfully secured interviews from 13 out of 15 household representatives living on Brickfield Road, and the engagement with other boroughs and work on Travelling Showpeople. **SP5.61** also clearly demonstrates via the engagement work with Brickfield Road residents that at least 5 households currently occupying pitches on Brickfield Road expressed a preference to leave the site to move into bricks and mortar accommodation. The reasons given were affordability, age, illness and comfort.
- 3.15 **SP5.61** identifies a requirement (described as a need or a desire) for 4 publicly available pitches in the next 10 years and two privately available pitches in the next 10 years, which can be delivered via the council’s asset management, in accordance with paragraph 18.53.
- 3.16 The council is now working to facilitate the households that expressed a preference to leave Brickfield Road pitches and move in to bricks and mortar accommodation by exploring:
  - 3.16.1 the circumstances of the residents on Brickfield Road, to find out what level of priority housing need they might already qualify for, given their personal circumstances
  - 3.16.2 revisions to the housing allocations policy to effectively assist the prioritisation of residents in Brickfield Road who want to move into bricks and mortar accommodation, while being equitable for others in priority needs.

3.17 The council considered this approach is justified as it meets identified needs and uses the council's assets and that of its partner to provide deliverable, viable sites, making effective use of land.

3.18 The London and Gypsy Travellers Unit disagrees with the methodology used in SP5.61. In their representation to the pre-submission public consultation (contained in **SP4.4**), the LGTU states

*"In particular, we object to the process of filtering down the responses so that in the final analysis only 6 out of 36 responses are taken into consideration. The filtering only includes responses from Travellers who provided verifiable bricks and mortar addresses in Merton. This excludes those not currently resident in Merton. Furthermore, from our experience in working with this community, Gypsies and Travellers are generally reluctant to provide such information to the authorities. This filtering process has excluded a significant number of Merton Travellers from the final analysis, as only 13 out of 19 responses were considered when assessing the level of need.*

3.19 The council considered responses from Travellers that provided verifiable bricks and mortar addresses in Merton to ensure the robustness of the research. Recognising that the travelling community can be reluctant to engage with and provide information to authorities (see SP5.61 paragraph 3.10), the council used the "snowballing" technique to undertake the first stage of research in order to try and encourage as many members of the traveller community as possible to participate. Therefore the council invested in a significant liaison event via the Ambition dance group, the only known local group that is run by members of the travelling community and engages with them. The event was advertised by the Ambition Dance Group and their connections in the travelling community, so that it didn't seem like an "official" event. SP5.61 also sets out in paragraph 3.18 and 3.19 how the council considered the need to maximise the opportunity to conduct research with the balance between participation in the event. The event was well attended by 138 people, although many came from the same households so the actual number of households represented was lower. 36 people responded to the questionnaires, 19 of whom said they were Merton residents, with 13 providing verifiable addresses.

3.20 However the council also has to strike a balance between maximising the opportunity to use any information received from this event and from ensuring that the information can be verified as being from a robust source. In the council's view, in order for the research conclusions to be considered robust and for the council to be able to justify that those responding were Merton residents, verifiable addresses had to be provided. The council believes that it had taken a very and robust approach to try and minimise the "official" aspect of the research, including:

- investing in the publicity for the event and the advertising of the event by a group from the travelling community,
- using local volunteers and people familiar to the local traveller community to conduct the research,
- taking account of issues that are more common in the travelling community (such as a reluctance to share information and lower literacy levels) in the

engagement approach adopted, the devising the questionnaire and asking the questions.

3.21 It is the council's view that the research has struck the correct balance between considering and using techniques that are most likely to generate responses and the need to be able to draw accurate conclusions from certain elements of the research. Had the council used the responses of residents who said they were Merton residents but may have not been, in our view the research conclusions would have been less robust and open to challenge.

3.22 The LTGU's response to Stage 4 (in **(SP4.4)** states

*There is then further filtering based on an assumption that differentiates between 'cultural preference' to live on a site and 'actual need'. Although the majority of respondents (91%) rated living on a site as essential, important or very important, this was not considered when identifying the level of need. A question regarding the reasons for not living on a site was used to determine how many households would require living on sites. Only the responses of 6 Merton residents with verifiable addresses were taken into account.*

3.23 The council's research questionnaire starts with asking general open ended questions and moves on to more specific questions typifies qualitative research where discussions or focus groups are used to obtain information. The more general early questions are intended to strike a balance between getting information and encouraging the respondent to participate, helping participants to relax and allowing them to lead the discussion by contributing their opinions. These general questions are also very useful for the researcher as the answers can often highlight a wider range of issues and bring up unanticipated or unexpected answers, which can help lead to more questions or a different line of research. The wide variety of answers to the first research question (**(SP5.61**, page 25) illustrates this.

3.24 The council considered the answers to all of the questions when assessing the level of need:

- The council asked a general question to respondents, asking them to rate the importance of living on a site. (**(SP5.61** Table 2.5 page 28)
- Then the same respondents were asked to give reasons for their previous answer (**(sp5.61** Table 2.6 page 29)
- This led to a specific question for the respondent to give specific reasons why they don't currently live on a site (**(SP5.61** page 29 and 30)

3.25 Using general questions about preferences to allow the researcher to draw specific conclusions is not a robust research methodology in the council's view. In this case, respondents to the general question have stated that living on site is essential or important (Table 2.5) and most of those who gave reasons for their earlier answer (Table 2.6) cited a mixture of cultural preference and desire for a traditional way of life within the community. However it is the council's view that these answers should not be used to infer that these respondents have a need for a caravan pitch as there is a difference between a respondent expressing their community's cultural preference and that

respondent having a need for a caravan pitch. The council therefore asked a further question, specifically asking why that respondent did not live on a site. This further question is much more specific and therefore more robust to draw accurate conclusions from.

3.26 The council believes, as **SP5.61** sets out, that there is a difference between the need for something to be provided and a cultural preference for something to be provided. The first chapters of **SP5.61** clearly draws this distinction, and demonstrates how the council is focussing its resources on accommodation needs for caravan pitches.

3.27 The LGTU's response to Stage 4 in **SP4.4** also states

*In our view this is not a robust assessment of need and it does not provide sufficient evidence to support the policy statement in the Sites and Policies Plan. We are also concerned that the waiting list for pitches is not maintained effectively and further discourages Gypsies and Travellers from accessing pitches in Merton. None of the 6 residents who were identified as in need in 2011 were registered on the waiting list."*

3.28 It is the council's view that **SP5.61** is a very robust assessment of need, which provides robust support for the Plan. We would also point out that the conclusions of SP5.61 include the assessment of the households on Brickfield Road carried out in December 2012, the Ambition Group event in October 2011, consideration of quantitative research including the Census results and any feedback from other boroughs, the LGTU and the Traveller Education Service and others, whether this feedback was to housing or planning officers or other parts of the council or its partners.

3.29 The council's view is that the pitch waiting list is maintained effectively; its access is tailored specifically to support the traveller community. As explained to the LGTU in July 2013, those who wish to access the housing (bricks and mortar) waiting list have to fill in a paper form, which is relatively long and can be complex.

3.30 Taking into account the lower levels of literacy within the traveller communities, and recognising the reluctance to engage with authority, the council has made it as convenient as possible for people to join Merton's pitch waiting list as they can provide the necessary information verbally rather than having to fill in a form, and have to provide much less information than is necessary for the housing (bricks and mortar) waiting list.

3.31 The LGTU states in **SP4.4**

*With regards to the emphasis on the needs of housed Gypsies and Travellers, we would point out that many Travellers in London have been forced into bricks and mortar against their will because of lack of adequate site provision and their needs should be included in any assessment of need. We therefore recommend that the maximum level of need identified in the London GTANA (16 additional pitches by 2017) is used as the baseline figure to inform the Site and Policies DPD*

3.32 As stated earlier, the London GTANA 2008 set a target of 4 pitches for Merton, rising to 16 if psychological aversion to bricks and mortar was taken account in the assessment of need. This research was carried out in 2007

and the council is of the view that more up-to-date research should be the basis for council policy.

3.33 The council's research and co-operation with all other south London boroughs who have undertaken research to plan for Traveller accommodation needs does not support the conclusion that there is currently a substantial need for caravan pitches need arising from Travellers in bricks and mortar accomodation. The council's view is that bricks and mortar accommodation help to meet accommodation needs, which is supported by the Mayor of London's views on the Fordhams assessment in 2009. In the draft London Plan 2009, paragraphs 3.48-3.50 set out how the Mayor came to his view of accomodation needs considering:

- the identified needs of those already living in caravans as a priority,
- the role that bricks and mortar housing can play in meeting gypsy and traveller accommodation needs,
- the limited land supply and high land values in London,
- the balance which has to be struck between meeting the requirements of delivering pitches averaging 50 dwellings per hectare and bricks and mortar accommodation averaging 140 dph

3.34 This is further supported in Merton from the results of the research undertaken on the existing site at Brickfield Road, which illustrates that up to a third of households are interested in moving from caravan pitches into bricks and mortar accommodation.

- **is the judgement that there are no deliverable or developable sites for such accommodation based on robust evidence?**

3.35 Yes, the judgement that there are no deliverable or developable sites for such accommodation is based on robust evidence.

3.36 **SP1.2** Planning for traveller sites 2012" paragraph 9 states that planning authorities should define 5 years worth of deliverable sites, as follows:

*To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that development will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.*

3.37 Supported by **SP5.61**, Merton is meeting its identified need via the management of council assets at the existing site on Brickfield Road. The identified need for four pitches over 10 years (2 every five years) can be met from relets and the council is aware of two pitches coming up for relet within the next 5 years. As set out earlier in this statement the council is also working with residents and exploring whether a housing allocation policy to prioritise Brickfield Road residents moving off site beyond the next 5 years (while ensuring an equitable approach to others in priority housing need) would assist in the medium to long term.

3.38 **SP1.2 Planning for traveller sites** paragraph 9 also states that planning authorities should

*“identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15”... To be considered developable, sites should be in a suitable location for traveller site development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged”*

3.39 To assess whether there were any deliverable or developable sites, should needs change over the next 10 years, the council has undertaken a robust assessment of the sites within the *Sites and Policies Plan*, which is set out in SP5.60. It demonstrates that no sites within the *Sites and Policies Plan* have a realistic prospect of being delivered within the first five years.

3.40 Regarding developable sites, the large council-owned sites (Site 17 and site 36) that are identified in **SP5.60** as potentially being available after 2018 (and therefore acting as broad locations) have also been identified as two of only four sites that are deliverable to meet the needs for secondary school places. A report to Merton’s Cabinet in November 2013 sets out this approach, supported by a comprehensive assessment of more than 100 sites borough wide for the provision of secondary school places (**SP5.68**).

3.41 It should be noted that, in line with **SP1.2 Planning for traveller sites** the council’s position statement in SP4.1 states that the council will keep both the accommodation needs and the delivery of those needs under review on a five-year rolling basis.