

## Matter 1 – Legal Compliance

### Issue 6 – Public Sector Equality Duty

**Q1 In what ways does the Plan seek to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?**

1.1 Section 149 of the Equality Act 2010 ‘Public sector equality duty’ sets out:

- (1) *A public authority must, in the exercise of its functions, have due regard to the need to—*
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

...

- (7) *The relevant protected characteristics are—*
- age;*
  - disability;*
  - gender reassignment;*
  - pregnancy and maternity;*
  - race;*
  - religion or belief;*
  - sex;*
  - sexual orientation.*

1.2 Equality Impact Assessments (EqIAs) were undertaken for the draft Plan at Regulation 18 (Preparation) stage in July 2023 and at Regulation 22 (Submission) stage in November 2024 (LPCD 14.02 and LPCD 14.01 respectively). The ways in which the Plan seeks to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic are discussed in the EqIAs. Of particular relevance to answering this question, the EqIA 2024 notes in Section 1 ‘About the project, service or policy’ that:

*The scope of the Local Plan and the 16.5 year time span mean that this document will have a significant impact on the lives of those who live and work in or visit the District. Important choices are made between competing demands and limited resources are allocated. The Draft Local Plan, paragraph 1.27 sets out that the Vision for St Albans is a succinct statement for the District through to 2041: ‘A thriving, inclusive and sustainable community which is a great place to live and work and has a vibrant economy.’*

*Objectives to achieve this, as set out in Table 1.2 of the Local Plan include, but are not restricted to: sufficient housing which meets the needs of all sections of society in*

*sustainable locations; strong and resilient economic growth; support for town, village and neighbourhood centres; and sufficient provision for and access to community infrastructure in sustainable locations. Policies will, however, need to be assessed and monitored to ensure that no unintended consequences for equality issues occur.*

- 1.3 The EqlA goes on to describe in Section 2 'Community Impact' the positive and negative impacts, and how benefits will be enhanced and negative impacts minimised or eliminated, in relation to key demographic considerations for the District which take into account the Council's duty towards protected characteristics under the Equality Act 2010. The EqlA criteria consider impacts against all the relevant protected characteristics listed in s149 (7) plus general criteria 'Local communities in general' and 'Any community issues identified for this location' as below (adapted from the table in the EQIA).

***Local communities in general:*** *The Local Plan seeks to deliver specific types of development and at specific locations. As such, there is the potential for the policies to have differential impacts on different equalities groups. Development at any site could have equality implications for new residents and users/workers within the site, and also communities in adjacent areas. The thrust and ambition of the Local Plan includes the focus of development in locations where a range of services and facilities are relatively accessible by public transport and non-car modes to make developments more accessible to people of all abilities. The document works to provide better access to community and recreational facilities on site and in adjoining areas.*

*More specifically, Strategic Policy SP7 - Community Infrastructure sets out support for protection and enhancement of Community Infrastructure, which includes healthcare, education, and all other types of community facilities.*

***Age:*** *Strategic Policy SP4 – Housing seeks the provision of specialist housing to meet the needs of older people and people with disabilities. Policy HOU4 specifically aims to provide housing for older people in both C2 and C3 form; with provision to be made for specialist housing to meet the needs of older people and / or people with disabilities within the Broad Locations and housing sites providing 250 dwellings or more. Policy HOU2 further identifies that affordable housing is required for both of these forms of accommodation, at 40% of units.*

***Disability:*** *The thrust and ambition of the Local Plan includes the focus of development in locations where a range of services and facilities are relatively accessible by public transport and non-car modes to make developments more accessible to people of all abilities. Strategic Policy SP4 – Housing seeks the provision of specialist housing to meet the needs of older people and people with disabilities. Policy HOU3 specifically aims to provide housing for older people in both C2 and C3 form; with provision to be made for specialist housing to meet the needs of older people and / or people with disabilities within the Broad Locations and housing sites providing 250 dwellings or more. Policy HOU2 further identifies that affordable housing is required for both of these forms of accommodation, at 40% of*

units. In addition, Policy HOU4 supports provision of M4(2) (accessible and adaptable dwellings) and M4(3) (wheelchair user dwellings).

**Gender reassignment:** No equalities impacts identified.

**Marriage and civil partnership:** No equalities impacts identified.

**Pregnancy and maternity:** No equalities impacts identified.

**Race:** No equalities impacts identified.

**Religion or belief:** It is considered that the Local Plan will have a neutral effect on people due to their religious beliefs.

Strategic Policy SP7 - Community Infrastructure sets out support for protection and enhancement of Community Infrastructure, which includes places of worship. Policy COM1 relates to Community, Leisure and Sports facilities within the District. This policy sets out that the Council will encourage new and enhanced community, sport and recreational facilities in appropriate and sustainable locations. Furthermore, opportunities for new provision will be created as part of development of new Local Centres in Broad Locations, including in joint use community buildings.

Beyond that, the Local Plan does not provide any greater benefit for any specific religion or for any beliefs system compared to none, so in this sense it is considered to be neutral.

**Sex:** No equalities impacts identified.

**Sexual orientation:** No equalities impacts identified.

**Any community issues identified for this location:** The project is District-wide.

Overall, the Local Plan policies have been designed to attempt to improve the relevant equality strands where possible, and to otherwise have a neutral impact. It is not anticipated that there will be a direct impact on equality issues related to gender reassignment, sex, sexual orientation, pregnancy and maternity, or religion and beliefs as a result of the policies and development proposed in the Local Plan; whilst it is considered that the policies and resulting development patterns of the Local Plan are likely to have some positive effect on the age and disability equality strands.

#### 1.4 The EqIA goes on to note that:

the consultation strategy for the Regulation 18 Draft Local Plan and the Regulation 19 Publication Local Plan was developed with the intention to ensure all sectors of the community have the opportunity to have their say in how their community is planned and developed, irrespective of race; disability; age; religion or belief; gender reassignment; pregnancy and maternity; sex and sexual orientation. Efforts have been made to ensure that the consultation process as a whole was an inclusive one that involved a wide range of community groups, in accordance with the Equalities Act 2010.

1.5 Finally, in Section 3 'Action Plan' the EqIA sets out that:

*the Council will monitor the implementation and impact of the Local Plan Policies through: the regular Authority's Monitoring Report (AMR) and 5 year review (5YR). In addition, on-going community engagement through the implementation of the Local Plan (e.g. through developer engagement at pre-application / application stages) will help to provide a greater understanding of the potential impacts on equalities groups, which may inform updated policies at review stage or additional planning guidance.*

- 1.6 Taking account of the above and the EqIA as a whole, the Council has, in the exercise of its functions in relation to the Local Plan, had due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 1.7 As such, the above points and the EqIA as a whole set out the ways in which the Plan seeks to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic.

**Q2 What are the identified accommodation needs for gypsies and travellers and travelling showpeople over the plan period? What are these needs based on and how have they been calculated?**

What are the identified accommodation needs for gypsies and travellers and travelling showpeople over the plan period?

2.1 The identified accommodation needs for gypsies and travellers and travelling showpeople over the plan period are set out in the Council's Gypsy and Traveller Accommodation Assessment Final Report dated September 2024 (GTAA) (HOU 05.01). The need can be summarised as follows:

- Need for gypsy and traveller pitches to 2041 for households that meet the PPTS 2023 definition: 95 pitches
- Need for travelling showpeople plots to 2041: 7 plots

2.2 Planning policy for traveller sites December 2024 was published alongside the NPPF. It notes under Policy I: Implementation:

*30. The implementation policies set out in the National Planning Policy Framework will apply also to plan-making and decision-taking for traveller sites. In applying those implementation provisions to traveller sites, references in those provisions to policies in the National Planning Policy Framework should, where relevant, be read to include policies in this planning policy for traveller sites.*

2.3 The NPPF December 2024 sets out under Annex 1: Implementation that where the plan has been submitted for examination under Regulation 22 on or before 12 March 2025 (as is the case for the draft SADC Local Plan) the plan will be examined under the relevant previous version of the Framework.

2.4 As such, the plan is examined under the December 2023 NPPF, and the relevant version of the PPTS is the December 2023 PPTS<sup>1</sup>. The GTAA used the December 2023 PPTS policies and relevant planning definitions in order to identify needs.

2.5 In relation to the need for gypsy traveller pitches to 2041, the GTAA identifies at 8.20:

*Total need from gypsy and traveller households that meet the planning definition is for 80 pitches; total need from undetermined households is for 19 pitches; and total need from households that do not meet the planning definition is for 23 pitches between 2024 and 2041.*

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<sup>1</sup> PPTS 2023 available via:

[https://webarchive.nationalarchives.gov.uk/ukgwa/20241211225427mp\\_/https://assets.publishing.service.gov.uk/media/658198bb23b70a000d234c03/Final\\_planning\\_and\\_travellers\\_policy.pdf](https://webarchive.nationalarchives.gov.uk/ukgwa/20241211225427mp_/https://assets.publishing.service.gov.uk/media/658198bb23b70a000d234c03/Final_planning_and_travellers_policy.pdf)

- 2.6 The GTAA notes (eg at 1.20) that only the need from those households who met the 2023 PPTS planning definition<sup>2</sup> should be formally considered as need arising from the GTAA.
- 2.7 In relation to the proportion of need from ‘undetermined’ households (households where an interview was not able to be completed either due to refusal to be interviewed or households that were not present during the fieldwork period) which should be formally considered as forming part of the need for pitches, the GTAA notes at 1.9:

*The Council will need to carefully consider how to address any need associated with undetermined Travellers, as it is unlikely that all the undetermined households will meet the 2023 PPTS planning definition of a Traveller. The GTAA recommends that the local proportion of those households who met the planning definition (79%) should be applied to the undetermined need when considering Local Plan Policies.*

- 2.8 Taking the above into account, the total identified need for gypsy and traveller pitches to 2041 for households that meet the PPTS 2023 definition is 95 pitches, comprising 80 pitches for households that meet the planning definition plus 15 pitches (79% of 19 pitches) for undetermined households. The GTAA identified that 54 of the 95 pitches needed to 2041 constituted current and 5-year need (2024-2028), with the remaining 41 pitches constituting future need; as shown in the table below (adapted from GTAA Figure 12):

Table 1: Need for Gypsy and Traveller pitches to 2041 by year periods as identified in the GTAA:

	2024-28	2029-33	2034-38	2039-41	Total
Pitches needed*	54	14	16	12	95**

\* These figures take need from households that met the 2023 PPTS planning definition plus 79% of undetermined need.

\*\* N.B. the figures included rounded decimal figures and the later needs (2029-41) included figures which were rounded up; the 54 pitch 2024-28 need and the 95 pitch total are correct.

- 2.9 To identify the 5 year need from expected Plan adoption in 2026 the ‘24-28’ need for 54 pitches plus two fifths of the ‘29-33’ need of 14 pitches would be used; ie 54 pitches plus 6 pitches; to total 60 pitches. This approach to calculate the 5 year need from Plan adoption has been agreed by the GTAA consultants.
- 2.10 The needs for travelling showpeople and for transit provision are set out in the following parts of Chapter 8 ‘Conclusions’ of the GTAA report, as follows:

<sup>2</sup> As noted at 2.9 of the GTAA: The key change that was made to the definitions of gypsies and travellers and travelling showpeople in the December 2023 revision to PPTS was the reintroduction of those who have ceased to travel permanently. These households were excluded from the 2015 PPTS planning definition of a Traveller.

### *Travelling Showpeople*

*8.14 In summary, in St Albans for the GTAA period 2024 – 2041, there is a need for:  
» 7 plots for Travelling Showpeople households that met the 2023 PPTS planning definition*

*» No plots for undetermined Travelling Showpeople households that may meet the planning definition.*

*» No plots for Travelling Showpeople households who did not meet the planning definition.*

...

### *Transit Provision*

*8.16 Due to historic low numbers of unauthorised encampments, and the existence of public transit pitches in other districts of Hertfordshire (Hertsmere), it is not recommended that there is a need for a formal public transit site in St Albans at this time.*

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2.11 GTAA Figures 10 ‘Need for Travelling Showpeople households in St Albans that met the Planning Definition’ and 11 ‘Need for Travelling Showpeople households in St Albans that met the Planning Definition by year periods’ show that all of the total need for 7 plots to 2041 for travelling showpeople constitutes current and 5 year need, with no need identified for after 2028.

2.12 Taking the above into account, the identified accommodation needs for gypsies and travellers and travelling showpeople over the plan period is based on the findings of the GTAA, and can be summarised as follows:

- Need for gypsy and traveller pitches to 2041 for households that meet the PPTS 2023 definition: 95 pitches
- Need for travelling showpeople plots to 2041: 7 plots

### What are these needs based on and how have they been calculated?

2.13 The identified accommodation needs for gypsies and travellers and travelling showpeople over the plan period are based on the findings of the GTAA, as set out above.

2.14 The identified needs were calculated in accordance with the GTAA’s methodology, which is summarised in the Executive Summary and is set out in more detail in Chapter 3 ‘Methodology’ of the GTAA report.

2.15 The following excerpts from the Executive Summary provide a high-level summary of how the identified needs have been calculated:

### *Introduction and Methodology*

*1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) is to provide a robust assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in St Albans City & District Council (the Council) area.*

*1.2 As well as updating the previous GTAA, the GTAA provides a credible evidence base which can be used to aid the implementation of Local Plan Policies and, where appropriate, the provision of new Gypsy and Traveller pitches and Travelling Showpeople plots for the period 2024-2041 to cover the Council's Local Plan period and the 15-year requirements set out in Planning Policy for Traveller Sites (PPTS). The outcomes of this study supersede the outcomes of the previous GTAA for St Albans City & District Council.*

*1.3 The GTAA has sought to understand the accommodation needs of the Gypsy, Traveller and Travelling Showpeople population in the Council area through a combination of desk-based research, stakeholder interviews, and engagement with members of the Travelling Community living on all known sites, yards, and encampments.*

*1.4 A total of 97 interviews or proxy interviews were completed with Gypsies and Travellers living on sites in St Albans and a total of 4 interviews were completed with Travelling Showpeople. This represents a very robust overall response rate of 87%. Despite the efforts that were made no interviews were completed Travellers living in bricks and mortar.*

*1.5 A total of 9 stakeholder interviews were also completed.*

*1.6 The fieldwork for the study was completed between November 2023 and May 2024 and the baseline date for the study is June 2024.*

- 2.16 It is not considered necessary to repeat here all of the Methodology section of the GTAA (Chapter 3), which already forms part of the Evidence Base for the Local Plan Examination; but it is considered that the 'Background' section provides useful context as to how the needs were calculated and the robustness of the ORS approach, as below:

### *Background*

*3.1 Over the past 10 years, ORS has continually refined a methodology for undertaking robust and defensible Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessments. This has been updated in light of changes to the PPTS in 2015 and in 2023, the Housing and Planning Act (2016) the NPPF (2023), and the PPG (2021). It has also responded to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.*

*3.2 PPTS contains a number of requirements for local authorities which must be addressed in any GTAA methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs*



*separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.*

*3.3 ORS would note that the ORS GTAA methodology has been repeatedly found to be sound and robust, including through Local Plan Examinations in Bedford, Brentwood, Cambridge, Castle Point, Central Bedfordshire, Cheltenham, Cotswold, Daventry, East Hertfordshire, Gloucester, Maldon, Milton Keynes, Newham, Runnymede, South Cambridgeshire, South Northamptonshire, Tewkesbury, and Waverley.*

*3.4 An Appeal Decision for a Hearing in Central Bedfordshire (APP/P0240/C/18/3213822) that was issued in March 2020 concluded: ‘...whilst there have been some queries in previous appeal decisions over the conclusions of other GTAAs produced by ORS, the methodology, which takes into account the revisions made in 2015 to the Government’s Planning Policy for Traveller Sites (PPTS), has nevertheless been accepted by Inspectors in a considerable number of Local Plan Examinations.’*

*3.5 The Inspector for the East Herts District Plan also found the evidence base in relation to Gypsies and Travellers to be sound in her Inspection Report that was issued in July 2018. She concluded: ‘The need of the travelling community has been carefully and robustly assessed and locations to meet identified needs have been allocated for the plan period. Policy HOU9 sets out the need for 5 permanent pitches for Gypsies and Travellers... the approach to the provision of housing is comprehensive, positively prepared, appropriate to the needs of the area and consistent with national policy.’*

*3.6 The stages below provide a summary of the methodology that was used to complete this study. More information on each stage is provided in the appropriate sections of this report.*

- 2.17 GTAA Chapter 3 ‘Methodology’ goes on to set out the methodology in relation to the following matters, which are not reproduced here in full but which are found at paragraphs 3.8 – 3.34 of the GTAA:

- Desk-Based Review*
- Stakeholder Engagement*
- Working Collaboratively with Neighbouring Planning Authorities*
- Survey of Travelling Communities*
- Engagement with Bricks and Mortar Households*
- Timing of the Fieldwork*
- Applying the PPTS Planning Definition*
- Undetermined Households*
- Households that Do Not Meet the Planning Definition*

- 2.18 Under the next section ‘Calculating the Current and Future Need’ the GTAA notes:

*3.35 To identify need, PPTS requires an assessment for current and future pitch requirements but does not provide a methodology for this. However, as with any housing assessment, the underlying calculation can be broken down into a relatively small number of factors. In this case, the key issue is to compare the supply of pitches available for occupation with the current and future needs of the population.*

- 2.19 It then goes on to set out a 3-stage process with subsections as follows (introductory sentence(s) only reproduced below, the GTAA report has more detail):

*Supply of Pitches - 3.36 The first stage of the assessment sought to determine the number of occupied, vacant, and potentially available supply in the study area.*

*Current Need - 3.38 The second stage was to identify components of current need, which is not necessarily the need for pitches because they may be able to be addressed by space already available in the study area.*

*Future Need 3.39 The final stage was to identify components of future need. This includes the following components: » Households living on sites with temporary planning permission. » New household formation.*

- 2.20 Finally the chapter details and justifies the ORS approach in relation to 'Pitch Turnover' and 'Transit Provision'.

- 2.21 To conclude, the methodology used by ORS to undertake the GTAA has been found to be robust and justified, as set out above and in the GTAA. The identified accommodation needs for gypsies and travellers and travelling showpeople over the plan period are based on the findings of the GTAA and they have been calculated in accordance with the methodology set out in the GTAA report, most notably in the Executive Summary and in GTAA Chapter 3.

**Q3 Does the Plan make suitable and effective provision to meet identified needs?  
Will needs be met in full?**

Does the Plan make suitable and effective provision to meet identified needs?

- 3.1 Yes, the Plan makes suitable and effective provision to meet the identified needs.
- 3.2 Policy HOU6 – Gypsies, Travellers and Travelling Show People of the Plan sets out that the Council's approach to making suitable and effective provision to meet identified needs, as follows:

*HOU6 – Gypsies, Travellers and Travelling Show People*

*To provide for the accommodation needs of Gypsies and Travellers and Travelling Show people the Council will:*

- a) Consider proposals for new accommodation with regard to the potential and suitability of the following:*
  - i. New sites as part of Broad Locations for development that should accommodate a maximum of 20 pitches (each pitch being designed to accommodate 1 family / household);*
  - ii. Reconfiguring or extending existing sites; and*
  - iii. Sites with temporary permissions.*
- b) Ensure that proposals make efficient use of land. Pitch sizes should not exceed 500m<sup>2</sup> and can be considerably less. Site design should be assessed in relation to the specific circumstances of the site and in particular whether there is a need for integrated general amenity and landscaping space;*
- c) Take account of any additional criteria contained in Government guidance; and*
- d) Based on a variety of factors including proximity to the road network most used by Gypsies and Travellers, development site scale, area topography and landscaping opportunities, and the wide range of uses to be provided in the Broad Locations for development; require provision of the following new sites:*
  - i. East Hemel Hempstead (South) Broad Location - one up to 15-20 pitch site*
  - ii. East Hemel Hempstead (Central) Broad Location - one up to 15-20 pitch site*

- 3.3 The Council's 'Meeting the Accommodation Needs of Gypsies and Travellers and Travelling Show people - Evidence Paper' September 2024 (HOU 04.02) set out evidence to demonstrate how the identified need for gypsy, traveller and travelling showpeople accommodation in the District will be addressed. In section 5 'Approach to Meeting the Identified Need in the District' it noted the following:

*5.1. There have been multiple Calls for Sites between 2009 and 2021 that have included calling for potential Gypsy and Traveller sites. There was also a specific 'St*

*Albans Gypsy and Traveller Call for Sites 2024' which ran between Monday 8 July 2024 to Monday 19 August 2024.*

*5.2. Policy HOU6 of the Regulation 19 Local Plan identifies two specific identified sites within East Hemel Central and East Hemel South Broad Locations that would deliver up to 40 pitches over the Plan period. It also identifies criteria based policy for provision of pitches based on the approach encouraged in the PPTS. From 'duty to co-operate' discussions, it has been identified that there is no likelihood of any of the District's needs being met in neighbouring local authority areas.*

- 3.4 The Council's 'Meeting the Accommodation Needs of Gypsies and Travellers and Travelling Show people - Evidence Paper: Addendum' November 2024 (HOU 04.01) built upon the above and set out, with reference to the findings and potential approaches to meeting needs as set out in the GTAA, the following high-level approach at paragraph 5.2:

- a) Private pitch provision: The Council seeks to meet the identified need for additional pitches at private sites primarily through the regularisation, intensification, reconfiguration or expansion of existing sites.*
- b) Public pitch provision: The Council seeks to meet the identified need for additional pitches at public sites through the two specific allocations identified in Policy HOU6, ie at East Hemel Central and East Hemel South Broad Locations*

- 3.5 The Evidence Paper Addendum then provided further evidence to justify the approach, with reference to the findings of the GTAA, as follows:

*2. Private pitch provision*

*2.1 Section 8 'Conclusions' of the GTAA sets out that:*

*8.5 Need from households who met the 2023 PPTS planning definition should be addressed through the intensification, reconfiguration or expansion of existing sites, or the allocation of new sites or pitches. The Council should also consider the regularisation of sites that currently have temporary planning permission or are unauthorised. In order to explore opportunities for need, or a proportion of need, to be met on existing sites the Council should consider completing a more detailed Pitch Deliverability Assessment (PDA). This approach has been successfully used by other Local Authorities in England and has concluded that a large proportion of need could, in principle, be met on existing sites.*

*8.6 For private sites it is also recommended that alternative approaches should be considered when seeking to address the levels of need identified in this GTAA, especially when seeking to meet the need through the intensification, reconfiguration or expansion of existing sites.*

*8.7 The first approach to consider is in relation to single concealed or doubled-up adults and teenagers who will be in need of a pitch of their own in the next 5 years. In the short to medium term it is likely that the accommodation need of these individuals could be met through additional touring caravans on existing sites as opposed to more formally set out larger pitches.*

8.8 The second approach to consider is for sites occupied by larger extended family groups. Again, sites like this may be able to meet the overall accommodation needs through a combination of shared static caravans, tourers and dayrooms on existing sites which are, generally, each equivalent to the provision of a pitch – as opposed to more formally set out sites with separate pitches. It is common for conditions in Decision Notices for Travellers sites to simply place limits on the numbers and types of caravans as opposed to placing limits on the number of pitches.

2.2 Having reviewed the sites from where existing need arises in relation to pitch density, land ownership and planning and other constraints; the Council considers that:

- a) In relation to single concealed or doubled-up adults and teenagers who will be in need of a pitch of their own in the next 5 years, in the short to medium term it is likely that the accommodation need of these individuals could be met through additional touring caravans on existing sites as opposed to more formally set out larger pitches, as referenced at 8.7; and
- b) sites occupied by larger extended family groups are likely to be able to meet the overall accommodation needs through a combination of shared static caravans, tourers and dayrooms on existing sites which are, generally, each equivalent to the provision of a pitch – as opposed to more formally set out sites with separate pitches; as referenced at 8.8.

### 3. Public pitch provision

3.1 Section 8 ‘Conclusions’ of the GTAA sets out that:

8.9 In addition, a large proportion of current need identified in the GTAA (26 pitches) is from households currently living on the 3 public sites in St Albans. Whilst there is a small amount of pitch turnover on these sites it is unlikely to be sufficient to meet the levels of identified need. Therefore it is recommended that the Council consider opportunities to intensify or expand the existing public sites, or opportunities to develop a new public sites(s) in St Albans.

3.2 The Council considers that this need for public pitches would be met at the two specific allocations for new sites included in Policy HOU6 d) and subject of the Key development requirements for Part B sites H3 and H4. These policies require provision of a 15-20 pitch site at each of East Hemel Hempstead (South) and (Central) Broad Locations.

### 4. Conclusion

4.1 Taking the GTAA recommendations and the above points into account, the Council’s position is that: all of the need for public pitches would be met at the two specific allocations for new sites included in the Draft Local Plan; and as indicated in the GTAA, all or at least a very large proportion of the need arising from existing private sites could be met on the existing sites.

Will needs be met in full?

- 3.6 Yes the identified accommodation needs for gypsies and travellers, travelling showpeople and transit provision will be met in full.
- 3.7 Since the Evidence Paper Addendum November 2024 further work has been undertaken in order to demonstrate that the Council's approach will realistically lead to the needs being met in full. The further work comprises a proforma assessment of both the existing traveller sites in the District and the sites which were put forward in the Gypsy and Traveller Call for Sites of Summer 2024.
- 3.8 The Gypsy and Traveller Call for Sites 2024 and proforma assessment of sites are introduced in the sections below and the proforma assessment findings are then presented. The detailed proforma assessments themselves are found in M1 I6 Q3 Appendix 1 - Proforma Assessment of Existing Traveller Sites and Sites Put Forward in the Call for Sites 2024.

#### Gypsy and Traveller Call for Sites 2024 - Introduction

- 3.9 A Gypsy and Traveller Call for Sites ran from 8 July 2024 to 19 August 2024 whereby individuals, landowners or developers were invited to suggest potential sites for traveller use which were available and suitable for pitches and potentially for transit stopping places (N.B. there have been multiple Calls for Sites between 2009 and 2021 that have included calling for potential Gypsy and Traveller sites, the distinction in the 2024 Call for Sites being that it was solely for traveller sites). The Call for Sites was for new sites or existing sites with potential for limited expansion and / or intensification (i.e. more pitches on an existing site within its current boundary). A total of 7 of the 9 Call for Sites submissions received related to expansion or intensification of existing traveller sites, and 2 new sites were put forward.

#### Proforma Assessment - Introduction

- 3.10 In order to assess the potential for existing private sites to deliver additional pitches through the regularisation, intensification, reconfiguration or expansion of existing sites a proforma assessment of the existing sites has been undertaken, and the 2 new sites put forward in the 2024 Call for Sites have also been assessed.
- 3.11 The Appendix to this Paper includes the proforma assessment of the 15 existing sites that were identified in the 2024 GTAA (assessing the adjacent 'Woodview Lodge' and 'Land Rear of Hoofprints' sites together as they effectively form a single site), plus the 2 new sites put forward in Call for Sites submissions. Also included are summaries of the 9 received Call for Sites submissions.

#### Proforma Assessment - Approach

- 3.12 The proforma assessment sought to assess the potential for additional developable<sup>3</sup> pitches at each site, informed by the approach to assessing the suitability of sites set

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<sup>3</sup> PPTS footnote 5 sets out: "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"

out in PPTS paragraphs 13 and 14. Each proforma assessment includes the following elements:

- **Site Details:** Comprising a Site Reference for this assessment; HELAA Reference where applicable; Site Address; Parish; Area in hectares; and information on the Existing Traveller use of the site.
- **Location of Existing Traveller Site:** Comprising a Constraints Map and an Aerial view of the Site. N.B. For existing traveller sites, the red line shown generally reflects the site location identified in the most recent valid planning application, where these records are available.
- **Description of Site:** Summary description of the site and immediate surroundings.
- **Deliverability Assessment:** comprising the following elements:
  - SADC Traveller Call for Sites 2024: Stating whether an intensified or expanded site was put forward in a Call for Sites submission.
  - Relevant Planning History: Consisting of planning history considered relevant to this assessment only.
  - Suitability of Location: Consisting of:
    - Summary of major policy and environmental constraints, which would preclude development at the site or in certain parts of the site;
    - Summary of other key constraints, which would be likely to influence the extent / nature of development at the site, and a sentence as to whether the site size, landscape and topography of the area would preclude additional pitches; and
    - Summary of considerations relating to accessibility, including proximity to settlements and strategic road network and availability of local services.
  - Potential for Regularisation of Pitches at the Existing Site: Setting out the findings of the GTAA 2024 as to numbers of temporary, tolerated or unauthorised pitches at the site, which may potentially be regularised to help meet need.
  - Potential for Intensification of Existing Site: A spatial analysis of the size of the existing traveller site and, from a spatial perspective only without any consideration of constraints etc, the number of pitches / plots that could potentially fit in the site.
  - Potential for Expansion of Existing Site: Assessment from available records including planning application documents as to whether the owners of the existing traveller site also own adjacent land; and a comment as to whether the site was put forward in the 2024 Call for Sites.
- **Qualitative Assessment:** Comprising a qualitative summary assessment as to the potential for additional pitches from the site, informed by the preceding sections and where applicable the Call for Sites submission.
- **Conclusion:** Informed by the preceding sections and where applicable the Call for Sites submission, a conclusion as to the extent to which there is a reasonable prospect that the site could provide additional pitches to contribute to meeting the District's need to 2041. The findings set out the potential number of additional pitches through both intensification and expansion; and where relevant (ie where there are existing temporary, tolerated or unauthorised pitches at a site) through regularisation.

- 3.13 The proforma assessments represent a relatively high-level review. A more detailed assessment in relation to aspects including highways access, drainage details, ecological and landscape impacts and mitigation etc would be made at planning application stage when specific proposals are assessed.
- 3.14 There are assumptions in the proforma assessment as to average pitch and plot sizes to use in assessing potential numbers of pitches or plots from intensification or expansion, which are summarised / explained as follows:
- **Size of Gypsy Traveller pitch:** For the purposes of calculating the potential for intensification or expansion of existing Gypsy Traveller sites an average pitch size of 320m<sup>2</sup> was used. There is no numerical standard suggested in the PPTS or national guidance but the 320m<sup>2</sup> size was informed by the following factors:
    - The GTAA notes that, whilst it has now been withdrawn, Government Guidance on Designing Gypsy and Traveller Sites recommended that, as a general guide, an average family pitch must be capable of accommodating an amenity building, a large trailer [a static caravan or park home for example] and touring caravan, parking space for two vehicles and a small garden area.
    - Consideration of other comparable local guidance, particularly that of Leeds City Council<sup>4</sup> which recommended an average pitch size of 320m<sup>2</sup>, so as to provide space for an amenity block (kitchen, bathroom, living room) and touring caravan space for up to 2 caravans and 2 vehicles.
    - Two of the three public sites in the District have an average pitch size of c.320m<sup>2</sup>, and appear to offer sufficient space to enable a reasonable standard of accommodation for residents.
    - Agreement from the Council's GTAA consultants ORS that 320m<sup>2</sup> would constitute a reasonable assumption for average pitch size in this District.
  - **Size of Travelling Showpeople's plot:** For the purposes of calculating the potential for intensification of the existing Travelling Showpeople's site an average plot size of 720m<sup>2</sup> was used. This was informed by the following:
    - The PPTS sets out that plots for travelling showpeople should be mixed use, and 'may / will need to incorporate space or to be split to allow for the storage of equipment.'
    - The only site in the District is at Noke Lane. In granting temporary planning permissions for additional mobile home in 1998, 2000 and 2005 (see planning history section above) the average plot size for each of the 2 plots was 1,090m<sup>2</sup> per plot. However, aerial photography indicates that by June 2005 there was an additional (third) plot on the site, and that by June 2009 there was a further (fourth) plot on the same site, which would equate to average plot size of c.545m<sup>2</sup>. Later aerial photography still shows 4 plots but the related equipment spreading to adjacent land mostly to the north side.
    - The planning permissions specifically limited the use to Travelling Showpeople who were members of the Showmen's Guild.

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<sup>4</sup> Leeds City Council 'Gypsy and Traveller Site Design Guide' 2020 available via:  
<https://www.leeds.gov.uk/docs/Gypsy%20and%20Traveller%20Site%20Design%20Guide.pdf>



- There is no standard size for a plot, and in the absence of specific national guidance, the 'Showmens Guild of Great Britain Best Practice Advice on Provision of Showmens Permanent Parking Sites' 2008<sup>5</sup> was consulted, as it is considered to represent good practice guidance. This notes that a *"showmen's site requires more space than would be needed for any other traveler group"* and sets out amongst other things that:  
*As a rule of thumb one acre of land can accommodate ten showmen's caravans and accompanying vehicles and equipment. Ideally these this should be provided in half acre [c.2000m<sup>2</sup>] areas (showmen's yards as we call them) which can accommodate an extended family of five showmen, with their caravans, vehicles and equipment. We would emphasize at this point this is an extended family unit of five caravans & equipment...*
- This guidance should be viewed with some caution given the age of the guidance; in recent years many Showpeople have sought to diversify their working practices and many do not now need as much space for the storage and maintenance of larger rides. Recent planning applications in other local authorities have seen plans for new yards put forward including a variety of plot sizes.
- Noting the above, it is considered that 720m<sup>2</sup> would constitute a reasonable assumption for average plot size in this case.

### Proforma Assessment - Findings

- 3.15 The proforma assessment Conclusion sections found that there was potential to provide for the identified need for additional pitches at private sites through the regularisation, intensification, reconfiguration or expansion of existing sites, as follows:

Site	Potential Additional Pitches through:			Max Potential Total Additional	Put forward in 2024 Call for Sites?
	Regularisation	Intensification	Expansion		
Ardens Rise	0	4	21	21*	Yes
Chiswell Green Lane	2	4	0	6	Yes
Meadowside	4	1	0	5	Yes
Land Adjacent The Mill House	0	0	8	8	Yes
Nuckies Farm	3	0	0	3	Yes
Tullochside	0	0	18	18*	Yes
Park Street / Watling Street (Public)	0	0	0	0	Yes
Woodview Lodge & Land R/O Hoofprints	10	0	19	29*	Yes

<sup>5</sup> Available via:

<http://www.theshowmensguild.com/downloads/Best%20Practice%20Guide%20for%20Showmens%20Sites.pdf>

The Meadows	0	17	0	17	No
The Paddocks	0	11	0	11	No
Barley Mow (Public)	0	0	0	0	No
Little Orchard	0	4	0	4	No
Ver Meadows (Public)	0	0	0	0	No
Luton Lane	0	0	0	0	Yes
North Cottages	0	0	0	0	Yes
Totals:	19	41	66	122	

*N.B. The identification in the table above of potential capacity is undertaken on a without prejudice basis in relation to individual planning applications.*

- 3.16 The proforma assessment Conclusion section for Noke Lane found that there was potential to provide for the identified need for additional plots through the regularisation, intensification, reconfiguration or expansion of the existing travelling showpersons site, as follows:

Site	Potential Additional Plots through:			Max Total Additional	Put forward in 2024 Call for Sites?
	Regularisation	Intensification	Expansion		
Noke Lane	4	7	0	11	No

*N.B. The identification in the table above of potential capacity is undertaken on a without prejudice basis in relation to individual planning applications.*

- 3.17 The above total of a maximum of 133 potential additional pitches / plots can be broken down as follows:
- 122 potential additional Gypsy Traveller pitches at existing private sites; of which 90 are on sites put forward in the 2024 Call for Sites, and 32 are not;
  - 11 potential additional plots for Travelling Showpeople at Noke Lane.

**Conclusion - Does the Plan make suitable and effective provision to meet identified needs? Will needs be met in full?**

- 3.18 The identified accommodation needs for gypsies and travellers and travelling showpeople over the plan period are set out in the GTAA; which the Council considers to be the most appropriate pitch target for gypsies and travellers to 2041 (95 pitches), plot target for travelling showpeople (7 plots in addition to the existing 4 unauthorised plots), and pitch target for transit site accommodation (0 pitches) in the District.

**Meeting the Identified Needs**

- 3.19 The Council seeks to meet the identified need for additional pitches at private sites primarily through the regularisation, intensification, reconfiguration or expansion of existing sites. The Council seeks to meet the identified need for additional pitches at

public sites through the two specific allocations identified in Policy HOU6, ie at East Hemel Central and East Hemel South Broad Locations.

- 3.20 The proforma assessment identifies a maximum of 122 potential additional traveller pitches could be provided at private sites through the regularisation, intensification, reconfiguration or expansion of existing sites; of which 90 are on sites put forward in the 2024 Call for Sites, and 32 are not. Policy HOU6 identifies an additional 40 pitches at two` new public sites, and these have been progressing through pre-application discussions with the landowner in a Planning Performance Agreement since summer 2024. The Council has therefore identified 162 potential pitch capacity to meet the need to 2041 of 95 pitches. Therefore, it is considered that the need for additional traveller pitches to 2041 can realistically be met. The assessment identifies a considerable excess of potential capacity for additional traveller pitches to 2041, but it is acknowledged that not all of the potential capacity will be needed or will actually come forward. Furthermore, it is noted that the assessment identifies an excess of potential capacity for additional pitches even if only those sites which were put forward in the 2024 Call for Sites, plus the two new public sites, are considered (a total of 130 pitches against a need of 95 pitches).
- 3.21 The proforma assessment also identifies a maximum of 12 potential plots for travelling showpeople at Noke Lane.
- 3.22 The Council's intention is to address the current and 5 year need for traveller pitches (54 pitches in the GTAA, 60 pitches from Plan adoption in 2026) through a combination of: the two specific allocations identified in Policy HOU6, permanent permissions to regularise pitches on existing sites; additional touring caravans on existing sites as opposed to more formally set out larger pitches; intensification of existing sites; and expansion of existing sites. This follows the approaches to meeting current and 5 year need suggested in the GTAA.
- 3.23 The Council's intention is to address the need for additional private pitches to 2041 through a combination of: permanent permissions to regularise pitches on existing sites; additional touring caravans on existing sites as opposed to more formally set out larger pitches; intensification of existing sites; and expansion of existing sites.
- 3.24 The Council's intention is to meet the need for additional public pitches to 2041 through the two specific allocations identified in Policy HOU6, ie at East Hemel Central and East Hemel South Broad Locations. This would contribute up to 40 pitches towards meeting the overall 95 pitch need to 2041. The Council's approach to the quantum of public pitch provision (c.42% of the total pitch need) is reasonably in line with the relative proportion of need arising from public and private sites as identified in the GTAA.
- 3.25 The need for a total of 11 plots for travelling showpeople households to 2041 (7 plots in addition to the existing 4 unauthorised plots) can be met through regularisation / intensification of the existing Noke Lane site. This is in accordance with the GTAA recommendation at 8.15: *"It is recommended that the current need could be addressed through the intensification or expansion of the existing yard in St Albans."*
- 3.26 Taking the above into account, the appended proforma assessments demonstrate, with reference to constraints, site suitability, land ownership and reasonable

assumptions, that the need for additional traveller pitches and plots to 2041 can realistically be met.

- 3.27 As such, it is considered that the Plan makes suitable and effective provision to meet identified needs and that needs will be met in full.