



Town & Country Planning Act 1990

(as Amended)

The Town & Country Planning (Inquiries Procedure)

(England) Rules 2000 (SI 2000/1624)

Appeal by Mr Patrick Gavin against the decision Kettering Borough Council to serve an enforcement notice at Land Situated at Plot 24B Greenfields, Braybrook Road, Braybrook, Market Harborough

Planning Inspectorate Reference: APP/L2820/C/20/3262337

LPA Reference: ENFO/2020/00013

Hearing Statement

**Steve Jarman
Opinion Research Services Ltd.
February 2021**

Background

1. My name is Steve Jarman and I have been a Senior Research Executive for Opinion Research Services (ORS) since May 2013. Previous to that I had over eighteen years' experience in Local Government at both a senior and managerial level. This covered all aspects of consultation, engagement, research and information, and policy development, across the full range of local government and other public-sector services. Formerly as manager of Cardiff Council's own in-house research consultancy I had responsibility for developing and implementing a wide range of consultation and community engagement initiatives. I have extensive experience of project managing large-scale strategic and sensitive consultation exercises, the implementation of qualitative and quantitative research methods, evidence-based policy development, and data analysis and interpretation.
2. As a qualified Planner, I have a sound knowledge of the policy and legislative frameworks that relate to local government and the wider public sector, as well as in-depth knowledge of policy, legislation and case law relating the Travelling Community.
3. I have a BSc in City and Regional Planning from Cardiff University (1994), a Post Graduate Diploma in Town Planning from Cardiff University (1996), and a Post Graduate Certificate in Sustainable Leadership from the University of Wales Institute Cardiff (2010).
4. I lead on the Gypsy and Traveller Accommodation Assessment (GTAA) Portfolio for ORS and have been responsible for GTAAs covering over 140 local authorities in England and Wales. Since changes to Planning Policy for Traveller Sites (PPTS) in 2015, ORS are working on or have completed studies for a large number of local authorities across the UK including Northamptonshire (7 local authorities – including Kettering), Central Bedfordshire, Bedford, Milton Keynes, Luton, the majority (8) local authorities in Hertfordshire, Kent (4 local authorities), Buckinghamshire (4 local authorities), Cambridgeshire Region (7 local authorities), Cheshire (4 local authorities), Dorset (7 local authorities), Essex Region (14 local authorities), Gloucestershire (6 local authorities), the majority (9) local authorities in Hampshire, Leicestershire (8 local authorities), 20 London Boroughs, Oxfordshire (5 local authorities), South West England (4 local authorities), the majority (7) local authorities in Surrey, and West Sussex (6 local authorities) - making ORS the largest provider of such studies in the country
5. I am instructed by Kettering Borough Council to support the Council's case in these appeals. My evidence deals specifically with the accommodation needs for Gypsies, Travellers and Travelling Showpeople, and the North Northamptonshire Gypsy, Traveller and Travelling Showpeople Assessment (GTAA) that was published in February 2019.

Introduction

6. This is an appeal by Mr Patrick Gavin against the decision Kettering Borough Council to serve an enforcement notice at Land Situated at Plot 24B Greenfields, Braybrook Road, Braybrook, Market Harborough.
7. I have been asked by the Council to provide the views of ORS on key issues relating to the assessment of need for Gypsy and Traveller pitches and Travelling Showpeople plots in Kettering, and also on the current 5-year pitch supply.
8. In 2018 Opinion Research Services (ORS) were commissioned by the 4 Councils in North Northamptonshire – including Kettering Borough Council - to complete a new GTAA. The GTAA Report was published in February 2019.
9. The assessment is a robust and comprehensive evidence-based assessment of the current and future need for accommodation for Travellers in North Northamptonshire who met, or may meet, the current planning definition of a Gypsy, Traveller or Travelling Showperson as set out in Annex 1 of PPTS (2015).
10. It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the PPTS planning definition. However, this assessment was also been completed, and the report provides advice on how the Council should seek to address accommodation need arising from households that did not meet the current planning definition of a Traveller through separate Local Plan Housing Policies. This is consistent with Paragraph 61 of the revised NPPF (2019).
11. ORS would note that since the changes to the PPTS in August 2015 the ORS GTAA methodology has been repeatedly found to be sound and robust, including through Local Plan Examinations in Bedford, Cambridge, Chelmsford, Cheltenham, Cotswold, Daventry, East Hertfordshire, Gloucester, Hart, Maldon, Milton Keynes, Newham, Runnymede, South Cambridgeshire, Tewkesbury, and Waverley.
12. A recent Appeal Decision for a Hearing in Central Bedfordshire (**Appendix 1**) 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.

13. 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 (**Appendix 2**). 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.'

14. The overall approach used by ORS was also considered at a Local Plan Examination in Maldon, Essex, in January 2017, and the Inspectors Report published on 29 June 2017 (**Appendix 3**) included the following comments:

143. The methodology of the new GTAA incorporates both a desk-based review and a survey of travelling communities. The former has drawn on a range of data including from the census, site records and caravan counts. The survey has been undertaken through face-to-face interviews with travellers. Rather than sample interviews, the general approach has been to attempt to interview all travellers in the district – those occupying pitches and those living in bricks-and-mortar accommodation. To that end, visits were made between January and September 2016, during the 'non-travelling season', avoiding July and August and days of known national or local events. Those undertaking the fieldwork have re-visited households multiple times when householders were either not present or not available to be interviewed at the time of calling. All of this is appropriate and, on the face of it, it appears that all reasonable endeavours have been undertaken to capture fully the views of the travelling community in the district.

Key Issues Relating to the GTAA and 5-Year Supply Situation

15. In this Statement I will first address the key elements of the overall methodology that was used to prepare the GTAA for North Northamptonshire. This will include:
 - » Scrutiny of the ORS GTAA Methodology.
 - » The revised planning definition of a Gypsy, Traveller and Travelling Showperson.
 - » Undetermined households.
 - » Households that do not meet the planning definition.
 - » Migration.
16. The Statement will then address issues relating to the current 5-year land supply for deliverable Gypsy and Traveller pitches in Kettering.
17. In doing so the Statement will also address issues that have been raised by Green Planning Studios Ltd. in their Initial Grounds of Appeal dated October 2020 and issues raised in their Enforcement Notice Appeal Form dated 30th October 2020. These include:
 - » Lack of a 5-year supply of pitches.
 - » That the GTAA underestimates need in Kettering.

Scrutiny of the ORS GTAA Methodology

18. Whilst the North Northamptonshire GTAA has not yet been the subject of a Local Plan Examination in Kettering, the same methodology was used to complete the GTAA for West Northamptonshire and was found sound by the Inspector during the examination of the Daventry Local Plan.
19. ORS note that since the changes to the PPTS in 2015 the ORS GTAA methodology has been repeatedly found to be sound and robust, including through Local Plan Examinations including in Bedford, Cambridge, Cheltenham, Cotswold, Daventry, East Hertfordshire, Gloucester, Hart, Maldon, Milton Keynes, Newham, Runnymede, South Cambridgeshire, Tewkesbury, and Waverley.
20. See Paragraph 12 for comments made in a recent Appeal Decision for a Hearing in Central Bedfordshire (**Appendix 1**) that was issued in March 2020.
21. In addition, specific elements of the ORS GTAA methodology have been supported by Planning Inspectors in various Decision Notices.
22. The Planning Inspector for an appeal in Chelmsford (APP/W1525/A/14/2226970) agreed with the approach taken by ORS when identifying concealed or doubled-up households. See Paragraphs 25-26 in **Appendix 4**.
23. The approach taken by ORS to new household formation and the use of a base rate of 1.50% has been supported by Planning Inspectors in a number of Decision Notices. In relation to a Decision Notice for an appeal in Doncaster that was issued in November 2016 (Ref: APP/F4410/W/15/3133490) where the agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector disagreed and accepted that a figure of 1.50% was justified. The Inspectors conclusions can be found in Paragraph 23 in **Appendix 5**.
24. Another relevant decision was in relation to an appeal in Guildford that was issued in March 2018 (Ref: APP/W/16/3165526) where the agent acting on behalf of the appellant again claimed that a rate closer to 3.00% should be used. The Inspector disagreed and accepted that the [ORS] figures used in the GTAA were more appropriate and derived from local demographic evidence. The Inspectors conclusions can be found in Paragraph 29 in **Appendix 6**.

The Revised Planning Definition of a Gypsy, Traveller and Travelling Showperson

25. The most recent version of PPTS that was published in August 2015 contains a revised definition of a Gypsy, Traveller and Travelling Showperson for planning purposes. In addition, the previous Housing Definition set out in the Housing Act (2004) was repealed by the Housing and Planning Act (2016) through the removal of sections 225 and 226 of the 2004 Act. As such the only current definition of Gypsies, Travellers and Travelling Showpeople for the purposes of the planning system and the assessment of housing need is that which is found in Annex 1 of PPTS (2015).
26. A GTAA now only needs to formally assess the needs of households that meet or may meet (undetermined households) the planning definition set out in PPTS (2015). However, ORS acknowledge that there are still current and future housing needs arising from those households that do not meet the planning definition. Therefore, our GTAs do complete this assessment and include advice on how local authorities should seek to address these needs through alternative planning mechanisms and through separate Local Plan Policies. This approach is consistent with the revised NPPF that was published in February 2019.
27. This approach was considered by the Inspector in a recent planning appeal in Central Bedfordshire. The Decision Notice (**Appendix 1**) that was issued in March 2020 concluded:
- 29. Nevertheless, the Appellant makes a criticism of the assumption in the GTAA that the housing needs of ethnic gypsies who do not meet the 'planning' definition of travellers, as set out in PPTS, should be included in an assessment of the wider planning needs of the area. It is claimed that the wording of the Framework, in paragraph 61 and footnote 25, indicates that all travellers, whether meeting the 'planning definition' or not should be included in the GTAA and the consequent calculation of the number of pitches required.*
- 30. The Framework, in paragraph 61, notes that housing needs for different groups, (including travellers) should be assessed and reflected in planning policies. Footnote 25 refers to travellers and states 'Planning Policy for Traveller Sites sets out how travellers' housing needs should be assessed for those covered by the definition in Annex 1 of that document.' Annex 1 of PPTS notes that for the purposes of that policy document 'gypsies and travellers' means 'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.'*
- 31. It seems to me that this wording makes clear that it is only those meeting that definition that should be included in an assessment of need for 'planning definition' travellers and that gypsies who have ceased travelling should be counted and provided for elsewhere and this is the approach proposed in the emerging LP. This does not, of course mean that these gypsies should be allocated 'bricks and mortar' type housing. They will also need a suitable supply of caravan sites to meet their needs. At the Hearing, the appellant made the point that, whatever the definition, the appeal site could help to provide accommodation for either group. However, for the purposes of considering whether the Council has a 5-year supply of sites for travellers that meet the PPTS definition in Annex 1, I consider that, for this case, it should be assumed that the numbers for 'non-travelling' gypsies will be provided for in other parts of the LP that the criticism of the GTAA in this respect is unfounded.*
28. The GTAA Report clearly sets out the Case Law and supporting sections from Decision Notices that have led to the approach ORS have taken to applying the planning definition to Gypsy, Traveller and Travelling

Showperson households. Confidential legal advice obtained by other clients of ORS have also supported the approach that is being taken by ORS.

29. The implication of these rulings in terms of applying the current planning definition is that it will **only include those households with household members who travel (or have ceased to travel temporarily) for work purposes, or for seeking work, and in doing so stay away from their usual place of residence.** It can include those who have a permanent site or place of residence, but it will not include those who travel for purposes other than work – such as holidays and visiting friends or relatives. It will also **not cover** those who commute to work daily from a permanent place of residence (see APP/E2205/C/15/3137477 – **Appendix 7**).

30. This approach was reinforced in a Decision Notice for an appeal in King’s Lynn and West Norfolk that was issued in February 2018 (Ref: APP/V2635/W/17/3180533) (**Appendix 8**) that stated:

As discussed during the hearing, although the PPTS does not spell this [the planning definition] out, it has been established in case law (R v South Hams DC 1994) that the nomadism must have an economic purpose. In other words, gypsies and travellers wander of travel for the purposes of making or seeking their livelihood.

31. The ORS household interview includes a structured set of 11 questions to record information about the travelling characteristics of household members. When the household interviews were completed the outcomes from all of the questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate that household members travel for work purposes, or for seeking work, and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future. Very careful consideration was also given to respondents who state that they travel to visit fairs. In these circumstances ORS Researchers asked additional questions to probe whether these visits involved any elements of work either at the fairs themselves, or when travelling to and from the fairs.

32. Households that need to be considered in the GTAA fall under one of 3 classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be formally included in the GTAA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.
- » Households where an interview was not possible who *may* fall under the planning definition (undetermined households).

Undetermined Households

33. As well as calculating need for interviewed households that meet the planning definition, the needs of the households where an interview was unable to be completed (either due to refusal to be interviewed or households that are not present during the fieldwork period) have been assessed as part of the GTAA where they were believed to be Gypsies and Travellers who may meet the planning definition.
34. There is no guidance that sets out how the needs of these households should be addressed. However, an approach was taken that sought a best estimate of current and future need from these households. The estimate sought to identify current need from any pitches known to be temporary or unauthorised, and to estimate future need through new household formation. For the latter, the ORS national household formation rate of 1.50% has been applied as the demographics of residents are unknown, and consideration was also be given to the locally derived new household formation rates if these differ significantly from the ORS national rate.
35. The GTAA Report sets out that it is likely that only a proportion of need from undetermined households will need to be addressed in a specific Gypsy and Traveller Local Plan Policy alongside need from households that met the planning definition, and that the majority of this need should be addressed alongside need from households that did not meet the planning definition. This is consistent with the revised NPPF (2019).
36. ORS have now completed approximately 4,800 interviews with Gypsies and Travellers on sites across England and the proportion of households that meet the planning definition is approximately 30%, suggesting that the majority of households that are interviewed across the country are settled and do not meet the planning definition of a Traveller.
37. The ORS methodology to address the need arising from undetermined households was supported by the Planning Inspector for a Local Plan Examination for Maldon Borough Council, Essex. In his Report that was published on 29th June 2017 (**Appendix 3**) he concluded:

150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, MM242h is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.

Households that do not meet the Planning Definition

38. Households who do not travel for work purposes, or for seeking work, no longer meet the planning definition of a Traveller. However, Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act 2010. Provisions set out in the Housing and Planning Act (2016) include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance related to this section of the Act sets out how the Government would want local authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be considered as part of the wider housing needs of the area and will form a subset of the wider need arising from households residing in caravans. The approach followed when completing the North Northamptonshire GTAA is supported by the revised NPPF (2019).
39. Paragraph 61 of the revised NPPF states that [emphasis added] *‘Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, **travellers**, people who rent their homes and people wishing to commission or build their own homes’*. The footnote to this section states that *‘Planning Policy for Traveller Sites sets out how travellers’ housing needs should be assessed for those covered by the definition in Annex 1 of that document.’*
40. The Housing Delivery Test Measurement Rule Book (MHCLG – July 2018) also confirms that the assessed needs for Travellers that meet the planning definition are not included in the overall OAN and that *where applicable, the housing requirement for Gypsies and Travellers under the Planning Policy for Traveller Sites (PPTS) will be added to the [latest adopted] housing requirement... and that Plan-making authorities should inform MHCLG of their housing requirement for Gypsies and Travellers under the PPTS through the annual Housing Delivery Test DELTA data collection.*
41. As such, it is very clear from reading the revised NPPF, The Housing Delivery Test Measurement Rule Book and the PPTS, that the needs of households that meet the planning definition should be addressed under the PPTS, and that the needs of households that do not meet the planning definition should be addressed as part of the wider housing needs of an area. This is supported in the appeal decision referred to in **Appendix 1**.

Migration

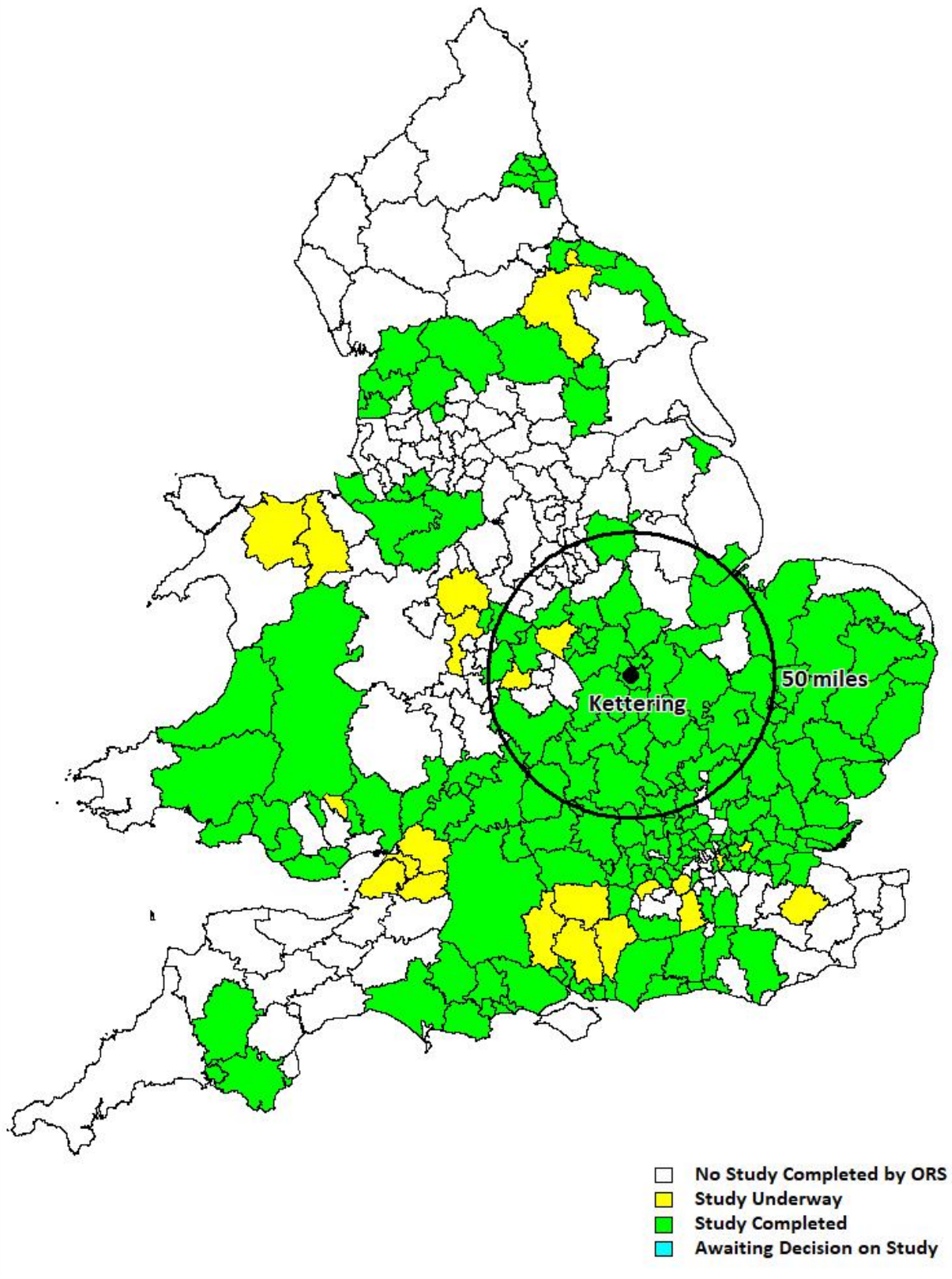
42. An Inspector in an Appeal Decision in Kettering that was issued in March 2017 criticised the Council for the failure of its 2011 GTAA *to make any provision for needs arising from net inward migration*. It has also been contended in an Appeal Statement for a more recent appeal in Kettering that it is *strongly considered that this failure is repeated in the 2019 GTAA*.
43. The GTAA Report includes a reference on Page 33 to a number of households that were interviewed who were seeking to move to a site or bricks and mortar in another local authority in the next 5 years; that the majority were seeking to move as a result of over-crowding; and that this would not generate any supply of pitches. However, none of these households were living on sites in Kettering.
44. The GTAA also includes a reference on Page 33 that no other evidence was identified of any households seeking to move to Kettering in the next 5 years. This was based on the outcomes the interviews that were completed for the North Northamptonshire GTAA and evidence from other GTAA studies that ORS have completed, including 50 within a 50-mile radius of Kettering – see map overleaf.
45. As the GTAA is an evidence-based assessment of need, it therefore assumed net migration to sum to zero. The GTAA then includes a recommendation in Paragraph 9.28 about how the Council should address any need from in-migration:

Any need arising from undetermined or new households seeking to move to the area and develop a site should be addressed through a criteria-based Local Plan Policy.

46. In addition, the GTAA also fully recognises the transient nature of many members of the Travelling Community – albeit that the majority are understood to travel from a permanent place of residence and do not need permanent accommodation elsewhere.
47. Chapter 11 of the GTAA contains a detailed appraisal of the need for transit provision across North Northamptonshire and sets out the range of transit options that are available for local authorities to consider to deal with transient needs. The GTAA then concludes:

As such it is recommended that the Councils, together with the CTU work together to identify opportunities for the provision of emergency stopping places. Given the implications of Local Government Reorganisation in Northamptonshire leading to the establishment of a new North Northamptonshire Unitary Authority by 2020 it is recommended that work be progressed on a strategic basis as opposed to work to identify potential sites within each current local authority.

Opinion Research Services
Coverage of Gypsy & Traveller Accommodation Studies by Status
June 2020



5-Year Supply

48. The ORS GTAA Report sets out that the overall need for pitches in Kettering for the GTAA period to is for 23 pitches for households that meet the PPTS planning definition; for 4 pitches for undetermined households who may meet the planning definition; and for 21 pitches for households that do not meet the planning definition. It should be noted that this is the identified need for the 15-year GTAA period from 2018-33 and not the 5-year supply figure.
49. ORS have completed an independent analysis of the 5-year supply of deliverable sites for the Travelling Community in Kettering since 2011 and full details of the analysis are summarised below and can also be found in **Appendix 9**.
50. In summary, the adopted North Northamptonshire Joint Core Strategy 2011-2031 identified a need for 13 pitches in Kettering for the period 2011-22. These figures were identified from the 2011 Northamptonshire GTAA.
51. The new GTAA was completed for North Northamptonshire by ORS and was published in 2019. This covered the period 2018-33 and superseded the outcomes of the previous GTAA with a new baseline date of July 2018.
52. The current period to be assessed in terms of 5-year supply is between 2020-21 and 2024-25. The analysis completed by ORS identifies that the Council needs to deliver 15 pitches over this 5-year period based on a residual current need for 14 pitches and a future need for 1 pitch that are identified in the 2019 GTAA.
53. Based on sites that have been granted planning permission that have not yet been delivered there is a 5-year supply of 18 pitches for this period. This is sufficient to meet all of the 5-year need identified in the 2019 GTAA for 2020-21 to 2024-25, as well as some of the future need beyond 5-years.
54. This includes an application for a new site of 10 pitches at land off Stoke Albany Road in Desborough that was approved in July 2009 (KET/2009/0155). Whilst this site is not yet operational, conditions have been discharged by the current landowner and the development has commenced. The Council is currently in the process of negotiating to purchase the site from the current owner in order to bring this site forward to meet identified need. The Council wrote to the Agent acting on behalf of the landowner on 15th June 2020 to set out that if terms are not agreed to sell the land to the Council, a Compulsory Purchase Order (CPO) process will be triggered to allow the site to be developed.
55. In addition, the GTAA identified a number of pitches that were granted permission for occupation by Gypsies and Travellers but are currently occupied by non-Travellers. The Council is considering enforcement action against these sites to ensure that they are occupied in compliance with their planning conditions. If these pitches are also taken into consideration, there is a 5-year supply of 39 pitches which would cover all the outstanding need identified in the GTAA for households that met the planning definition (22); and all of the need identified from undetermined households (4). This leave a surplus of 13 pitches in supply over the entire GTAA period to 2033.
 - » Total supply of pitches that have been implemented but not completed = 18 (Land at Stoke Albany = 10 and Woodside = 8).
 - » There are 5 occupied pitches that have been granted planning permission since 2011 at The Old Willows that are not believed to be occupied by Travellers and could be the subject of enforcement action.

- » The GTAA also identified a further 9 pitches at the Old Northampton Road site and a further 7 pitches at Animal Corner that were not occupied by Travellers that were granted permission before 2011.

Kettering GTAA Findings

56. The North Northamptonshire GTAA Report clearly sets out the approach that was taken to complete the study.
57. A total of 99 Gypsy and Traveller pitches were identified in Kettering on public, private, and temporary sites – including the appeal site – and interviews were completed with a total of 45 households. When unimplemented pitches, vacant pitches and pitches not occupied by Travellers are taken into consideration this represents a very robust fieldwork response rate in excess of 80%.
58. There were 25 Gypsy or Traveller households identified in Kettering that met the planning definition; 15 undetermined households that may meet the planning definition; and 20 households that did not meet the planning definition.
59. The GTAA identifies a need for 23 additional pitches for households that met the planning definition, and this is made up of 7 concealed or doubled-up households or adults; 5 teenagers in need of a pitch of their own in the next 5 years; 2 from pitches with temporary planning permission; and 9 from new household formation using a rate of 1.75% derived from the site demographics.
60. The GTAA identifies a need of up to 4 additional pitches for undetermined households and this is made up of new household formation of up to 4 from a maximum of 15 households. It should be noted that the 6 temporary pitches at Greenfields were unoccupied at the time of the GTAA and have not been included as components of need as the owners are believed to be living elsewhere
61. Whilst no longer a requirement to include them in a GTAA, there is a need for 21 additional pitches for households that did not meet the planning definition. This is made up of 10 concealed or doubled-up households or adults; 5 teenagers who will be in need of a pitch of their own in the next 5 years; and 6 from new household formation using a formation rate of 1.50% derived from the household demographics.
62. In their Grounds for Appeal and Enforcement Notice Appeal Form, Green Planning Studios Ltd. contend that the GTAA is an underestimate of need for Kettering but provide absolutely no evidence to support these claims. As such I would contend that the GTAA is a robust and accurate assessment of need for Kettering based on a robust set of detailed household interviews and following a methodology that has consistently been found to be sound by Planning Inspectors.

Conclusion on Need for Gypsies and Travellers in Kettering

63. The ORS GTAA approach has been repeatedly assessed as robust, including through Local Plan Examinations in Bedford, Cambridge, Chelmsford, Cheltenham, Cotswold, Daventry, East Herts, Gloucester, Hart, Maldon, Milton Keynes, Newham, Runnymede, South Cambridgeshire, Tewkesbury, and Waverley.
64. A recent Appeal Decision for a Hearing in Central Bedfordshire (**Appendix 1**) that was issued in March 2020 concluded:
- ...whilst there have been some queries in previous appeal decisions over the conclusions of other GTAA's 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.*
65. ORS have provided evidence to show that the PPTS (2015) planning definition of a Gypsy, Traveller and Travelling Showperson has been properly applied and that GTAA's do not now need to include a formal assessment of need for households that do not meet the planning definition. ORS do complete this assessment, however, to provide our clients with an overall picture of need for the Travelling Community – an approach now supported by the revised NPPF (2019).
66. ORS have significant experience in completing GTAA's and are probably the best placed consultancy in the country to assess households against the current planning definition of a Traveller based on the outcomes of robust household interviews completed by experienced Researchers.
67. ORS have provided evidence to support the approach taken to estimating need from households from immigration is robust.
68. ORS have provided evidence to show that there is in excess of a 5-Year supply of deliverable sites to meet the identified needs of Gypsies and Travellers in Kettering for the period 2020-21 to 2024-2025.
69. Whilst Green Planning Studios Ltd. contend that the GTAA is an underestimate of need for Gypsies and Travellers in Kettering, they provide no evidence to support these claims. Therefore, ORS contend that the GTAA is an accurate assessment of need based on in-depth interviews with households living on sites in Kettering.
70. Overall, taking all of these points into consideration, the overall accommodation needs for Gypsies, Travellers and Travelling Showpeople in Kettering that has been identified by the GTAA is accurate and robust, and in line with national policy and guidance, including that issued after the GTAA was published¹.

¹ The revised NPPF (2019).

Appendices

Appendix 1

Central Bedfordshire Appeal Decision Notice

Appendix 2

East Hertfordshire District Plan Inspectors Report

Appendix 3

Maldon Local Plan Inspectors Report

Appendix 4

Chelmsford Appeal Decision Notice

Appendix 5

Doncaster Appeal Decision Notice

Appendix 6

Guildford Appeal Decision Notice

Appendix 7

Ashford Appeal Decision Notice

Appendix 8

King's Lynn and West Norfolk Appeal Decision Notice

Appendix 9

ORS 5-Year Land Supply Analysis