

## **TECHNICAL NOTE: King's Lynn Gypsy and Traveller Accommodation Assessment – Revised 2023 PPTS Need Figures**

This Technical note has been produced to provide an update to the Council's Gypsy and Traveller Accommodation Assessment (GTAA) 2023 in relation to recent changes to National Planning Policy and to provide an update on the Council's supply.

On 19 December 2023, the government updated its Planning Policy for Traveller Sites (PPTS). The update comes alongside the government publishing its long-awaited response to the consultation it ran on the National Planning Policy Framework (NPPF) in 2022. The updated paper can be viewed at: Planning policy for traveller sites - GOV.UK ([www.gov.uk](http://www.gov.uk)).

This updated government policy must be considered in the preparation of development plans. It is also a material consideration that applies to planning decisions being taken now by the Council and by Planning Inspectors.

Local planning authorities preparing plans for and taking decisions on traveller sites should also have regard to the policies in the National Planning Policy Framework so far as they are relevant. The only change in this government policy paper is to the definition of gypsies and travellers. The definition reverts to defining travellers as all those of travelling background, not just those who are currently travelling. This follows the judgment in the Court of Appeal in the case of *Lisa Smith v SSLUHC & Ors* [2022] EWCA Civ 1391 ('Lisa Smith case'), which upheld claims that the government's planning policy definition discriminated unlawfully against those who had been forced to give up their nomadic lifestyle due to disability or old age. As such, the definition used in the PPTS adopted in 2012 will once again apply. This amendment was effective from 19 December 2023 for plan-making and decision-taking.

Footnote 1 of the updated government policy paper provides a glossary to address unlawful discrimination, and defines that for the purposes of planning policy, "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 or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such'.*

The definition excludes "members of an organised group of travelling showpeople or circus people travelling together as such", according to the glossary. In determining whether persons are Gypsies and Travellers, the glossary also reads, "consideration should be given to whether they previously led a nomadic habit of life; the reasons for ceasing their nomadic habit of life; and whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances."

The change to the definition could likely lead to implications for the Local Plan as the Council's current GTAA was published in 2023 and prior to this change. To understand how the change in the definition impacts the existing accommodation need within the GTAA, the following updates to the figures are provided.

It is intended that changes to the accommodation need identified within this Note will be proposed as changes to the examination documentation. This will provide the most up to date position in relation to the accommodation need across the Borough.

**Summary of GTAA 2023 Need Figures for Kings Lynn and West Norfolk** The GTAA identified the following need for accommodation for the full GTAA period 2023/24 – 2038/39<sup>1</sup>:

Meet 2015 PPTS Planning Definition	98
Do not meet 2015 Planning Definition	48
Undetermined (i.e. not interviewed)	6
<b>TOTAL</b>	<b>152</b>
5-year need target in the new Local Plan for the period 2023/24-2027/08	74

Most of this need is arising from existing sites via the doubling up on sites through family expansion. There is a small need for public provision and there is an identified displaced need. It was recommended through the GTAA that the five-year provision could be met through a combination of measures such as:

- Intensifying existing sites;
- Extending existing sites;
- Identifying new sites;
- Formalising unauthorised sites; and
- Granting planning permissions

The Council has considered these measures through the consultation process.

### **Implications of recent changes to the PPTS 2023**

The 2023 household interviews for those who did not meet the 2015 PPTS definition were reassessed against the 2023 PPTS definition<sup>2</sup>:

Total non-2015 PPTS definition households	91
Total non-2015 PPTS definition need	48
Total non-2015 PPTS definition 5-year need	26
<b>TOTAL</b>	<b>165</b>
Non-2015 PPTS definition households who now meet 2023 PPTS definition	14
Current (5-year) need from new 2023 PPTS definition households	1
Future need from new 2023 PPTS definition households	1

This update does not impact where the accommodation need is arising through the expansion of existing families on established sites. There remains no need for temporary stopping provision over the Plan period.

### **Update to the Supply 2023/24**

The following applications have been granted for Gypsy and Traveller use since the GTAA and now form part of the supply of pitches.

<sup>1</sup> Adjusted need figures following determination that Robyn’s Nest is not a Gypsy Site and appeal dismissed (Appeal A: APP/V2635/C/21/3286363 and others 09/2023).

<sup>2</sup> To include those households who have travelled for work in the past and who have now ceased to travel permanently.

Supply 2023/24:

- Moyses Bank: 1 pitch approved at appeal (3294180).
- North of Clydesdale, Biggs Road: 1 pitch approved (23/01082/F).
- West of Wheatley Bank: 1 pitch approved (23/10190/F)

Therefore, the adjusted 5-year<sup>3</sup> 2023 PPTS definition need target is  $74 + 1 - 3 = 72$

The additional pitches now meeting 2023 PPTS definition are arising from the following existing sites:

- Saddlebow Road (4 pitches): No current need, 1 x future need (from household formation)
- Bluebells (1 pitch) : No need
- Goshold Park (1 pitch) : No need
- Green Acres (1 pitch) : No need
- Oak Tree Caravan (1 pitch) : No need
- Orchard View (1 pitch) : No need
- The Lodge (1 pitch) : No need
- The Paddocks (1 pitch) : No need
- West Walton Court (2 pitches) : 1 x current need from a teenager
- Whitegates (1 pitch) : No need

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<sup>3</sup> 2023/24-2027/28.