



Campaign to Protect
Rural England

Policy Position Statement

Unauthorised Gypsy and Traveller Development

The issue of unauthorised gypsy and traveller encampments can be intensely controversial and polarise opinion. Media coverage highlights how unpopular such developments can be with the local community, their impact on property prices and the landscape, the unsightly appearance of some encampments and associated anti-social behaviour. CPRE believes that travellers and gypsies, like everyone else, have the right to a decent home. But – and this too applies to everyone else – in obtaining their home undue harm should not be imposed on other people, and the environment and countryside we all share.

What are the issues for the countryside?

The countryside faces much more significant challenges than these unauthorised encampments – including the growth in conventional new housing, which threatens to engulf vastly more countryside. It seems that the great majority of gypsy and traveller settlements cause no problems, with decent law-abiding people living in them.

Nonetheless, where such encampments have sprung up without planning permission, usually on town and village fringes (and sometimes on designated Green Belt), there is genuine and understandable concern. Sometimes the land in question is simply occupied or ‘squatted’. Sometimes the travellers purchase the land first. Such unauthorised encampments can damage the quality of life and lower property prices for those living immediately next to them, but there

are also losses for the wider community. There is real social and environmental value in keeping the countryside open, green and free of built development. That is why planning policies, decided on by democratically elected politicians, exist to protect it. No group, whatever their housing need, has the right simply to ignore planning policies and procedures and move their homes into the countryside.

CPRE’s approach and recent developments

Every household has the right to a decent home, but the location of new homes and their design cannot be a free-for-all – these have to be controlled for the benefit of all. We have long called for the great majority of new homes to be built within existing towns and cities, either by using previously developed ‘brownfield’ sites or by bringing existing buildings back into use. CPRE also believes that people who cannot afford a decent home through the

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open market need support – in the form of subsidised, affordable housing to rent or buy through shared ownership.

The town and country planning system has a critical role to play in meeting the reasonable housing needs of everyone whilst protecting the environment we all share. It should play that role for gypsies and travellers too, whilst recognising that their housing needs are different. Many choose to live in mobile homes, even if those mobile homes have become permanently stationary. The Government's 2005 Caravan Count found that there were 16,000 caravans across England, of which three quarters were on authorised sites. A Government survey published in 2002 estimated that 4,500 more individual pitches (or about 300 sites) were needed across England.

So local authorities should be obliged to consider whether there is a need for gypsy and traveller sites in their area when they draw up Development Plan Documents. If they find there is such a need, those documents should identify suitable sites where land can either be purchased directly by gypsies and travellers or, for example, by a housing association.

Councils used to have such a duty but it was withdrawn by legislation in 1994. However, the *Housing Act 2004* now requires local authorities to include gypsies and travellers within their local housing needs assessments and housing strategies. In February 2006, the Government issued revised planning guidance in ODPM Circular 02/2006 Planning for gypsy and traveller caravan sites. The new guidance obliges local planning authorities to identify the need for gypsy and traveller sites and then

provide actual sites where needed through the development plan process. If there is a problem with unauthorised sites within the local planning authority's area, then suitable sites will need to be brought forward in advance of any formal assessment of need.

It is unlikely to be easy to identify such sites, and there may be strong local opposition – but it is the duty of elected councillors to draw up options, weigh up the pros and cons and make tough choices. Government funding is also being directed towards providing new sites and refurbishing existing ones.

CPRE supports these policies; we want Government and local authorities to get on with implementing them.

We also believe vigorous enforcement action should be taken against all encampments created without planning permission, and that anti-social behaviour should not be tolerated. CPRE has long argued that poor or non-existent enforcement of planning controls has been one of the weakest links in the planning system. In general, the powers available are inadequate, and both central and local government put too few resources into cracking down on development without planning permission. The result: developers who build without consent have an unfair advantage over those who play by the rules and apply for permission first, and public faith in the planning system is undermined. Some representatives of gypsy and traveller groups argue that there is nothing wrong with creating an encampment and only then applying for planning permission – we disagree.

CPRE therefore welcomes the introduction in March 2005 of regulations for Temporary Stop Notices, and a Government guide to the effective use of enforcement powers against unauthorised encampments. A council can issue such a notice to stop unauthorised developments and contravention of it can result in a fine. We also support the recognition in Circular 03/2006 that policies on inappropriate development in the Green Belt apply equally to gypsies and travellers as well as to the settled population; and that in considering locations for new sites, local authorities should have regard to sustainability considerations such as the availability of local services. The Office of the Deputy Prime Minister has also set up a Traveller and Gypsy Unit, one of whose tasks is 'providing advice on enforcement issues and the provision of round-the-clock services to tackle unauthorised sites.' (ODPM Press Release, 7 March 2005). We hope it proves successful.

Conclusion

Unauthorised gypsy and traveller sites can be a very real problem for local communities and a threat to England's countryside – albeit not one of the gravest. But gypsies and travellers are just as entitled as anyone else to a decent home, or a suitable place to site their mobile home. Recent changes in Government policies are aimed at tackling the problems. We want to see these policies vigorously implemented by central Government and local authorities.

Further Reading

ODPM 2006, Guide to effective use of enforcement powers: Part I - Unauthorised encampments.

ODPM 2006, Local authorities and Gypsies and Travellers: Guide to responsibilities and powers.

ODPM Circular 02/2005, Temporary Stop Notices, The Stationery Office

ODPM Circular 02/2006 Planning for gypsy and traveller caravan sites, The Stationery Office

Niner, P., 2003, Local Authority Gypsy / Traveller Sites in England, ODPM