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Dear Judy

## **Mid Sussex GTAA Review July 2024 (excluding South Downs National Park)**

Following your recent enquiry in relation to the Gypsy and Traveller Accommodation Assessment (GTAA) that ORS prepared for the Council in April 2022 I can provide the following update regarding need from Gypsy and Traveller households in response to changes made by the Government to the PPTS Planning Definition of a Traveller in December 2023. In addition, the review has taken account of 3 new planning permissions that have been granted in Mid Sussex since the publication date of the GTAA and has also extended the time period of the GTAA to 2040 in line with the Councils new Local Plan period.

## **PPTS 2023**

Changes were made to the planning definition of a Traveller in the PPTS in December 2023. These changes were made in response to the Lisa Smith Court of Appeal Judgement that was handed down in October 2022.

The implications of these changes are that households who have ceased to travel permanently now fall back under the 2023 PPTS planning definition of a Traveller.

My professional views on the implications of the changes that were made to the PPTS in 2023 in relation to GTAA's are as follows:

- As a result of the Lisa Smith Judgement the PPTS was updated in December 2023 to revert back to the 2012 PPTS planning definition of a Traveller (now referred to as the 2023 PPTS) by reintroducing those who have ceased to travel permanently due to education, ill health, or old age into the definition.
- When the 2012 definition was issued the alternative planning definition in the 2004 Housing Act was also in place (now revoked by the Housing and Planning Act in 2016). This included anyone of a nomadic habit of life or those living in a caravan. So if a household did not meet

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the 2012 PPTS definition it was highly likely that they would meet the 2004 Housing Act definition if they were living in a caravan on a site or yard.

- Now that the Housing Act definition has been revoked, there will still be large numbers of households who will not meet the 2023 PPTS planning definition if they have never travelled or if they have never travelled for work – under case law you can only have ceased to travel (either temporarily or permanently) if you have previously travelled for work or for seeking work.
- Following the changes to the PPTS in 2023 ORS have completed a review of a large number of recent GTAA's that we have completed. These reviews have concluded that the vast majority of those who will now meet the planning definition (those who have previously travelled for work and have now ceased to travel permanently) are old or sick, have no children now living with them, and unless they are living on a temporary or unauthorised site do not generate much, if any, need.
- The reviews also concluded that whilst on average up to 25% of households may now move under the 2023 definition, they bring little or no need over with them. The majority of need from remaining non-2023 PPTS definition households is from teenagers and through new household formation from families with children who have never travelled or have never travelled for work.
- Therefore, in my professional view the changes to the PPTS in December 2023 will not change things as far as GTAA's are concerned other than an adjustment to potentially increase need slightly (if any is identified) from those who have legitimately ceased to travel permanently; that the target for 5-year supply should also not change very much, if at all; and that Paragraph 63 in the revised NPPF should still be used to address need from those who do not meet the 2023 planning definition alongside wider housing need.
- In conclusion, households who have never travelled, or have never travelled for work do not meet the 2023 PPTS planning definition of a Traveller.

### **Revised GTAA Need – September 2024**

#### **Implications of 2023 PPTS**

The 2022 GTAA identified a total of 22 households that did not meet the 2015 PPTS definition of a Traveller and these households generated a need for 12 pitches to 2038.

The review in September 2024 has identified that 10 of these households (45%) have ceased to travel for work permanently and now meet the 2023 PPTS planning definition of a Traveller.

These 10 households did not generate any current or future need for pitches. All were living on public sites in Mid Sussex and all were elderly couples or single adults with no children living in the households.

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## **New Planning Applications**

Following the publication of the Mid Sussex GTAA in 2022 the Council has granted 3 planning applications for Gypsies and Travellers – all on land that is safeguarded for Gypsy and Traveller sites at Highfields, Brighton Road:

- DM/22/0954: 2 Pitches.
- DM/23/0218: Continued use of a dwelling house.
- DM/23/3133: 1 Pitch.

Details of the occupiers/proposed occupiers of these sites/dwelling house were obtained from the planning agents representing the applicants. These identify no current need, and a small level of future need from household formation for children living in these households

## **Extended GTAA Time Period**

The 2022 GTAA covered the period 2021/22 to 2038/39. The revised Mid Sussex Local Plan now runs to 2023/40.

Given that there have been some new planning applications granted since the 2022 GTAA this review has taken a new baseline date for the assessment of need May 2024 so the revised assessment now runs from 2024/25 to 2039/40. It also assumes that need and supply net to zero for the period 2021/22 to 2024/25.

In addition a demographic uplift has been completed of the residents who were included in the 2022 GTAA. One effect of this is that some teenagers in 2022 will now be young adults and some younger children will now be teenagers – and will therefore generate additional current need. An adjustment has also been made to model residents aged 0-2 for the purposes of new household formation rolling forward to 2039/40.

## **Revised GTAA Need Summary**

There were 17 Gypsy or Traveller households identified in Mid Sussex that met the 2023 PPTS planning definition (up from 5 in 2022); 12 households that did not meet the planning definition (down from 22 in 2022); and 5 undetermined households that may meet the planning definition (the same as in 2022).

There is **a need for 5 pitches for households that met the 2023 PPTS planning definition** over the revised GTAA period up to 2040. This is made up of 2 concealed or doubled-up households or single adults; 3 from new household formation, derived from the household demographics. This is an increase from a need for 2 pitches identified in the 2022 GTAA and is as a result of the demographic uplift and the 3 planning permissions that have been granted.

There is **a need for up to 4 pitches for undetermined households**. This is made up of a modelled need for 1 for concealed or doubled-up household or single adult; a modelled need of 1 for teenagers who will need a pitches of their own in the next 5 years; and 2 from new household formation using the ORS national formation rate of 1.50%. This is an increase from a need for 2

pitches identified in the 2022 GTAA. The reason for this is that ORS now model need for concealed/doubled-up households and for teenagers in undetermined households.

Whilst not now a requirement to include in a GTAA, there is **a need for 12 pitches for households that did not meet the 2023 PPTS planning definition**. This is made up of 2 concealed or doubled-up households or single adults; 3 teenagers who will need a pitch of their own in the next 5 years; 3 from households on the waiting list for public sites; and 4 from new household formation, derived from the household demographics. This is the same as in 2022.

#### Revised Need for Gypsy and Traveller households in Mid Sussex (2024-2040)

Status	2024 Need	2022 Need
Meet Planning Definition	5	2
Undetermined	4	2
Do not meet Planning Definition	12	12
<b>TOTAL</b>	<b>21</b>	<b>16</b>

#### Revised need for Gypsy and Traveller households in Mid Sussex that met the 2023 Planning Definition by year periods

Year Period	Dates	2024 Need	2022 Need
0 – 5	2024-28	2	1
6 – 10	2029-33	1	0
11 – 15	2034-38	1	0
16 – 17	2030-40	1	1
<b>0 – 17</b>	<b>2024-40</b>	<b>5</b>	<b>2</b>

#### Revised 5-Year Supply

It is recommended that the 5-year supply for the purposes of a Local Plan Gypsy and Traveller Policy as required by the PPTS should be made up of need from those households that meet the 2023 PPTS planning definition, along with the local proportion (59%) of need from undetermined households.

On this basis the 5-year supply for the period 2024/25 to 2028/29 is for 3 pitches

#### Breakdown of need by year periods including 59% of undetermined need

Delivery Status	Gypsy and Traveller Policy				Housing Policy				TOTAL
	24-28	29-33	34-38	39-40	24-28	29-33	34-38	39-40	
Meet Planning Definition	3	2	1	1	0	0	0	0	7
Do Not Meet Planning Definition	0	0	0	0	9	0	4	1	14
<b>TOTAL</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>9</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>21</b>

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## **Conclusions**

I can confirm that in my professional view the implications of the changes to the PPTS in 2023; the granting of 3 new planning permissions; and the extension of the Local Plan period to 2040 have resulted in a slight increase of total current and future need identified in Mid Sussex for Gypsies and Travellers that now meet the 2023 PPTS planning definition of a Traveller.

Given that there were no Travelling Showpeople identified living on yards in Mid Sussex there are no changes to the need figures for Travelling Showpeople as a result of the changes to the PPTS in December 2023.

The changes to the PPTS in December 2023 also have no impact on the recommendations for transit need that were set out in the 2022 GTAA Report for Mid Sussex.

Regards



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