

Core Strategy for Chiltern District

Chiltern District Council - Response to Inspector's Questions [ID/4]

MAIN MATTER 6: Meeting the housing needs of the community

SUB MATTER: Gypsies, Travellers and Travelling Showpeople

DATE: 18 March 2011

Final

The following Paper sets out the Council's response to Main Matter 6: Meeting the Housing Needs of the Community, Sub Matter 'Gypsies Travellers and Travelling Showpeople' of the document 'Inspector's Main Matters and Questions' ID/4. The Paper has been structured to include the specific questions raised by the Inspector (in bold) and the Council's detailed response to them.

Q7.27) Is there robust evidence of the pitch requirements for these groups? (Explored further below). Could the Council clarify what it understands are the current needs (2006-2011 or to 2016) for both Gypsies and Travellers and Travelling Showpeople. I am unclear as to what conclusion is intended to be drawn from the text in the Core Strategy. Council to provide the figures from the bi-annual count of caravans for the last 5 years for both the District and County.

CDC Response:

The Council considers that the benchmarked figures put forward for inclusion into the review of the South East Plan, which are based on a robust and credible methodology taking into account CLG Guidance, represent the current need that the CS should plan to meet by 2016. Proposed changes to the paragraph 11.5 of the CS aim to make this clear (refer to CDN117).

Information from the bi-annual count of caravans is provided as **Appendix 1** to this paper.

7.28) The robustness of the evidence in the needs assessments (CND021, 022 and 032) and other GTAA's in the South East was explored at the Examination in Public of the South East Plan Partial Review in February 2010. The incomplete, draft report of the Panel is referred to in paragraph 11.6 of the Core Strategy and the Council intends to consider the comments made. Q: What is the Council's response to the criticisms made in this report of the Thames Valley GTAA assessment of the evidence relevant to Chiltern and the subsequent benchmarking?

CDC Response:

In light of the statement on the PINS website regarding the status of the unfinished Panel Report¹, the Council proposes that reference to it should be removed from paragraph 11.6 of the Core Strategy, by way of minor change (refer to CDN117). Therefore in light of the statement by PINS that this report does not form any formal part of the planning system, the Council does not consider it necessary or appropriate to respond to the criticisms about the GTAA Report within it.

Q7.29) Does the GTAA make reasonable assumptions about:

- **The existing backlog of needs (unauthorised sites and encampments and suppressed households)?**
- **Future arising needs (e.g. household formation)?**
- **The likely needs of gypsies and travellers living in conventional housing but wishing to return to living in caravan if the opportunity arises?**
- **The contribution to meeting future needs from genuine vacancies on authorised sites? Does any evidence or assumptions about**

¹ <http://www.planning-inspectorate.gov.uk/pins/rss/index.htm>

turnover of pitches on public sites represent genuine vacancies for households without an authorised pitch?

CDC Response:

The Council considers that as a basis for planning for need to 2016, the GTAA assessment, as benchmarked using the CLG guidance, is robust and makes reasonable assumptions about the matters detailed in Q7.29. The methodology and detail about these assumptions is set out within the GTTA (CDN021)

Q7.30) Paragraph 11.7 refers to 2 publicly owned sites which have permanent permission for 14 pitches of which one remains to be provided. When will this one pitch be provided? Is there any budget to do so? Are there any other constraints on its provision?

CDC Response:

There are currently 4 pitches on The Orchards site with planning permission for a further two pitches to be provided. One of the two pitches is already occupied on an informal basis and Oxfordshire and Buckinghamshire Travellers Services have confirmed that this pitch is to be formalised using Central Government Gypsy & Traveller Site Grant funding in the spring of this year. In terms of the provision of the second pitch, the existing residents are strongly of the view that only one additional pitch is wanted, and this is the fifth pitch which is now to be provided. It is therefore understood that there are no imminent plans to bring a sixth pitch forward although as the planning permission has been partially implemented there is clearly the future potential to do so should circumstances change.

Q7.31) What are the end dates of the temporary permissions referred to in paragraph 11.11? Are the existing needs short term or permanent? If the latter, how do temporary permissions meet that need?

The temporary planning permission for one pitch for a Gypsy Family at Shire Lane/West Hyde Lane (now known as Green Acres Farm, Shire Lane -

formerly described as Capsheild Field, Land South of West Hyde Lane) expires in 24 March 2015.

The 5 year temporary permission for 14 Travelling Showpeople pitches at Green Acres, Holmer Green (referred to in paragraph 11.11 of the Core Strategy) expires on 6/3/2013.

The pitch requirement/need set out in paragraph 11.9 (refer to proposed amendment within CDN117) is considered to be the permanent need which needs to be met through the Core Strategy. The Council recognises that the permanent need cannot be met by a temporary permission. Without prejudice to future decisions taken by this Council on this matter, in order to meet the identified need for permanent sites, sites will be allocated in Delivery DPD or through the grant of permanent planning permissions. In which ever case, the suitability of any sites will be assessed against the criteria in policy CS14.

Q7.32) Why does policy CS14 indicate only the possibility of the Delivery DPD making allocations for this type of accommodation? If existing needs and needs to 2026 have not been met, should there be a commitment to make such allocations?

CDC Response:

The Council acknowledges that the use of the word 'may' in this context is ambiguous. The Council therefore propose that Policy CS14 is amended in accordance with the suggestions in document CDN117.

Q7.33) Are the criteria in policy CS14 reasonable and consistent with the approach in other policies in the Core Strategy and with advice in Circulars 1/2006 and 4/2007? (Explored further below.)

CDC Response:

The Council considers that the criteria in Policy CS14 are consistent with other policies in the Core Strategy and appropriately reflect advice in national

planning policy and the circulars. With this in mind it is considered that these criteria are reasonable.

Q7.34) The policy excludes sites from the AONB and Green Belt (other than the possibility of making permanent some temporary permissions, but only in very special circumstances). Does this mean that gypsy sites are acceptable, in principle, only within settlement boundaries? Is it reasonable or practical to expect gypsy sites to be found in such areas given the competing demands from higher value uses? What assessment has the Council made of whether there are likely to be available, suitable and affordable sites which meet all these criteria? If not, how will the policy ensure that needs are met?

Advice in PPG2 and the relevant circulars makes it clear that gypsy and traveller and travelling showpeople sites are inappropriate development within the Green Belt. It is therefore entirely appropriate and consistent that Policy CS14 seeks to focus this type of development away from these areas. Given the nature of the District's countryside, it is therefore correct to assume that this development is only acceptable in principle within the settlement areas excluded from the Green Belt.

In order to assess the need for additional sites for Gypsies, Travellers and Travelling Showpeople over the period 2016-2026, the Council intends to undertake a new assessment to support the allocation of new sites in the Delivery DPD. In preparing the Delivery DPD or in determining a planning application for such development, the Council will consider the appropriateness of Green Belt locations to accommodate sites for Gypsies, Travellers and Travelling Showpeople. In exceptional circumstances, and where very special circumstances are demonstrated, this could involve the identification of sites / granting of planning permission for this type of development in the Green Belt.

Q7.35) Would the application of the criteria in policy CS14 constrain the location of a pitch/plot for a single family more tightly than saved policies for a single house, such as in Green Belt/AONB villages where infilling is allowed (policies GB4 & 5) or compared with Rural Exceptions sites? If so, why is such an approach justified?

CDC Response:

The Council would consider a planning application for a pitch/plot in the same way that it would consider an application for a new house in that same location. Circular advice does not allow for this type of development to be treated in the same way as rural exceptions housing.

Q7.36) Why does this policy give specific emphasis to the fact that ALL the criteria should be met, when this is not the approach adopted in other criteria-based policies?

The Council acknowledges that the approach adopted in this policy is not consistent with that adopted elsewhere in the Core Strategy. The Council therefore proposes a minor amendment to the wording of policy CS14, which is set out in CDN117.

Q7.37) Why does the policy suggest that only temporary planning permissions may be granted even if a proposal meets all the criteria (i.e. is acceptable)?

CDC Response:

The proposed changes to Policy CS14 set out within CDN117 address this matter.

Appendix 1

Table 1: Count of Gypsy and Traveller Caravans 8th July 2010

		Authorised sites (with planning permission)										
				Private Caravans								
		No. of Caravans	Temporary Planning Permission	Permanent Planning Permission	All Private Caravans	No. of Caravans on Sites on Gypsies own land		No. of Caravans on Sites on land not owned by Gypsies		Total All Caravans		
Region	Count	Socially Rented ²				"Tolerated"	"Not tolerated"	"Tolerated"	"Not tolerated"			
Chiltern	Jul 2010	27	9	0	9	0	3	0	0	39		
	Jan 2010	28	9	0	9	0	1	0	0	38		
	Jul 2009	21	..	..	8	0	0	0	0	29		
	Jan 2009	18	..	..	7	0	0	0	0	25		
	Jul 2008	24	..	..	0	10	0	0	0	34		
	Jan 2008	17	..	..	0	8	0	0	0	25		
	Jul 2007	15	..	..	0	0	10	0	0	25		
	Jan 2007	22	..	..	0	0	8	0	0	30		
	Jul 2006	17	..	..	0	0	10	0	1	28		
	Jan 2006	21	..	..	0	0	10	0	2	33		
.. = Not Known/Not Available												

2. Previously referred to as local authority sites. Includes sites owned by Registered Providers.

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Table 2: Gypsy sites provided by Local Authorities and Registered Providers in England 8th July 2010						
South East	Total number of pitches	<i>of which are:</i>		Caravan capacity	Date site opened	Date of last site changes
		Residential	Transit			
Site						
Chiltern (The Orchards Caravan Site West Hyde Lane Chalfont St Peter Bucks)	4	4	0	8	1977	0
Chiltern (Green Park Copperkins Lane Amersham Bucks)	8	8	0	16	1980	0

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