

Appendix A

Graham Hoyle, Cllr F Biggadike, Cllr A Parker, Sean Manning, Mr & Mrs Robbins, Mr & Mrs Wheatley, Clough and Risegate Residents Association, The Community Law Partnership, Heine Planning

(Policy for Gypsies and Travellers)

SOUTH HOLLAND LOCAL PLAN

Public Local Inquiry

<p>Objections to Inquiry Change IC14 and Council's Response</p>
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Objector: Graham Hoyle, Cllr F Biggadike, Cllr A Parker, Sean Manning, Mr & Mrs Robbins, Mr & Mrs Wheatley, Clough and Risegate Residents Association, The Community Law Partnership, Heine Planning



1.0 RESPONSES RECEIVED

1.1 A number of individuals and organisations were consulted directly on IC14, mainly members of our Travellers Forum. The Change was also advertised and displayed on our website.

1.2 Comments were received from

<p>Graham Hoyle, Knights Cottage, Broad Drove (549)</p>	<ul style="list-style-type: none"> • Concern about how need would be assessed • Suggests separation distance from dwellings related to density • Need to consider the time period required for 'assimilation' • Consider noise and fumes from traffic using access roads • Requirement to have services available means in practice locating close to existing development • Confusion between plots, vans and families in restricting the size of sites • Sites are used for business purposes which need to be controlled • Sites should be licenced • Vacant pitches should be made available to other travellers before new sites are permitted • Council could own some pitches to let on private sites • Good quality agricultural land should be protected from development • Concern about relaxing the policy for transit sites – the site will be permanent even if the Travellers move
<p>Cllr Francis Biggadike, Holbeach (534)</p>	<p>Travellers should not have to demonstrate a need to live in the District.</p>
<p>Cllr Anne Parker, Gosberton</p>	<p>Concerned about possible relaxation of the policy otherwise happy with the proposals</p>
<p>Sean Manning, Baulkins Drove</p>	<ul style="list-style-type: none"> • There are not enough pitches for Travellers in South Holland • His own site shows how assimilation can work • Retrospective applications have come about because Travellers think councils will be unsympathetic; private sites are preferred • He only wants one plot and has good local connections
<p>Mr & Mrs Robbins, Ladysmith, Cranmore Lane (224)</p>	<ul style="list-style-type: none"> • Travellers sites are quite noisy • Businesses are run from sites and generate traffic – should be located close to trunk routes • Sites have street lighting and should be located where this is appropriate • Hard surfaces can affect land drainage • Provision of services and utilities should not adversely affect other customers • Sites should offer shelter from cold winds

	<ul style="list-style-type: none"> • Concern about size of plots • Concern about expansion of pitches to accommodate expanded families • Should be assessed like a small industrial estate
Mr & Mrs Wheatley, Cranmore Lane	<ul style="list-style-type: none"> • Sites should be close to trunk roads with good access to local services • Sites have street lights and so should be in locations where these do not cause harm • Hard surfaces can cause drainage problems in rural areas • Quad bikes cause a nuisance in rural areas • Should be located away from existing dwellings because of noise
Clough and Riseigate Residents Association	<p>Feel that the policy is ambiguous and make some specific and general points. With regard to the policy</p> <ul style="list-style-type: none"> • 'reasonable need' is imprecise • 'reasonable distance' should be defined • Concern about impact on small local schools • Concern about the impact on the value of nearby property • Concern about impact on adjoining agricultural uses and also light and refuse pollution • Type of screening should be specified and a time period for assimilation • Sites cause noise and traffic nuisance • Concern about how pitches are defined and potential for expansion • Flood risk should be assessed for existing unauthorised sites • Some other concerns about how effectively sites will be monitored for compliance with conditions
The Community Law Partnership (cross ref to Heine Planning) (526)	Policy and supporting text need refinement in light of Circular 1/2006.
Heine Planning	<ul style="list-style-type: none"> • Reference should be made to Circular 1/2006 and not the draft Circular as this is no longer relevant. • 10 criteria is felt to be too many. • Some amendments to criteria suggested. • Concern over requirement for FRA, clarification needed. • Changes to supporting text sought in reflect contents of circular.

2.0 THE COUNCIL'S COMMENTS

POLICY CONTEXT

- 2.1 The policy context has moved on since the Inquiry Change was published in that the Government has now issued circular 01/2006 Planning for Gypsy and Traveller Caravan Sites. ODPM has also published a number of other supporting documents.
- 2.2 The policy context inevitably changes during the preparation of a local plan and it is impossible to constantly update everything. However, Circular 01/2006 does give clear guidance, in Annex C, about the criteria to be used in planning policies. It makes sense to review proposed Policy HS19 in the light of this. We have also looked at the responses to identify any additions or amendments that would be appropriate.

GOOD PRACTICE – CRITERIA (Annex C Circular 01/2006)

- 2.2.1 Policies should be fair, reasonable, realistic and effective and written in a positive way – We believe that is the case with HS19. The policy uses the word 'reasonable' in several criteria and would be reasonable to both Travellers and potential neighbours.
- 2.2.2 Policies should not be ambiguous – Ours is clear that permission will be granted where the criteria are met
- 2.2.3 The list should not be overlong – 10 criteria is probably enough
- 2.2.4 Access, landscaping etc – Our policy reflects these in the fenland context
- 2.2.5 Contamination etc – Our policy does not push Traveller sites to unsuitable locations
- 2.2.6 No national maximum size set – Our policy sets a maximum size but this reflects experience in South Holland, the fenland landscape and dispersed nature of the population.
- 2.2.7 Setting a maximum number of caravans is unacceptable – We have not attempted to do this but have restricted the number of pitches. This in itself raises questions as our respondents have commented. We would consider giving further guidance about the potential 'expansion' of pitches to include other or new family units, but not within the policy itself.

Requiring a local connection is unacceptable – This is a difficult area. The settled community tends to expect Travellers to be able to justify why they need to live in a particular area. Travellers themselves feel such restrictions are unfair. We think our criterion 1 is acceptable particularly as it will usually apply to an open countryside location where any new dwelling would have to be justified. It may be possible to deal with Traveller caravan site proposals in a built up area using other policies where justifying need is less important.

Impact on wildlife interest – Our criterion 6 is tightly and reasonably defined.

POSSIBLE ADDITIONS AND / OR AMENDMENTS

- 2.3 We do not wish to propose further amendments to the Policy but believe that there is merit in the following:
 - 2.3.1 A reasonable time period for assimilation of the site into its environs and the landscape.
 - 2.3.2 Noise and fumes from traffic generated by a site would need to be considered. This could be done under criterion 2 – the effect on the amenities of residents and other nearby land uses.
 - 2.3.3 Care needs to be taken over the connection of sites to utilities and services (criterion 7). It might be appropriate to consider this when any planning application is submitted.
 - 2.3.4 When assessing the impact of proposed sites they should be considered in a similar way to small industrial or business parks, not just purely residential.
 - 2.3.5 Consideration should be given to the need to be close to the primary road network.
 - 2.3.6 Consideration should be given to a clearer definition of a 'pitch' and how growing families would be accommodated in the future.

CONCLUSIONS

- 2.4 We believe that the proposed Policy is reasonably well supported by respondents and that it complies with the guidance in Circular 01/2006. There are dilemmas: to what extent should Gypsy Travellers have to demonstrate need compared with the settled community? Open countryside locations seem to be attractive for Gypsy Traveller caravan sites but are most vulnerable to the impacts of such sites and nearby residents can feel particularly badly affected. We believe that our proposed policy gets the balance right but we will seek to address the points listed above when we move forward with our work on the Travellers Needs Assessment and the search for a suitable site or sites.