

Background Papers, if any, are specified at the end of the Report

Delivery Development Plan Document: Supplementary Public Participation on Gypsy, Traveller and Travelling Showpeople Site Options

Contact Officer: Graham Winwright (01494 732269)

RECOMMENDATIONS

- 1. Approve the Supplementary Public Participation Document set out in Annex 1 with updated text to reflect the Buckinghamshire Gypsy and Traveller and Travelling Showpeople Accommodation Needs Assessment conclusions.**
- 2. Approve the public participation process set out in paragraph 7 of the Report.**
- 2. Delegate authority to the Head of Sustainable Development to carry out any necessary minor alterations / corrections to the Supplementary Public Participation Document and, for any changes of substance, in consultation with the Cabinet Member for Sustainable Development.**

Relationship to Council Objectives

The Delivery DPD once adopted will be a statutory document against which planning applications will be determined. The Delivery DPD closely relates to Council objectives:

Objective 2 - Safe, healthy and cohesive communities

Objective 3 - Conserve the environment and promote sustainability

and will be the subject of a Sustainability Appraisal to ensure that the above objectives will be promoted through planning decisions.

Implications

- (i) This is a Key decision.*
- (ii) This matter is within the Policy and Budgetary Framework.*

Financial Implications

Costs for Public Participation of the emerging Delivery DPD and the evidence base work which supports it is funded from a combination of

the Local Development Framework budget and reserve account. There is considered sufficient funding to complete the Delivery DPD process given the current balance of the Reserve and agreed budget for 2013/14.

Risk Management Implications

The major risks for the Council associated with the Delivery DPD are:

- Legal Challenge – this will always be a risk as part of a DPD however this risk is being mitigated by Council investment in a sound evidence base to support decisions and the public participation process itself by providing local residents and other stakeholders the opportunity to engage prior to the more formal public consultation state of Pre-Submission.*
- Financial – although the Council has sufficient funding for the Delivery DPD, this is subject to costs associated with any legal challenge that might pursue (see above)*
- Resources – availability of officer resources both within the Planning Policy Team and other parts of the Council required to support the process (e.g. Development Control; Legal; and Strategic Environment) in order to meet the Delivery DPD timetable*
- Delivery DPD delay – from whatever the cause in terms of potential for planning decisions being determined against national policy advice rather than local circumstances and Council reputation*

Equalities Implications

As the Delivery DPD is the ‘delivery’ plan for the adopted Core Strategy equality implications are already inherently embedded. It is not considered necessary to undertake an equalities assessment of the Public Participation document as this is seeking stakeholder inputs on emerging thinking and specifically relates to meeting the accommodation needs of specific minority groups. When the Council considers the Pre-Submission Delivery DPD (taking into account the outcome of both Public Participations) then an equalities assessment will be undertaken at that stage and where relevant the assessment conclusions will be built into the Delivery DPD.

Sustainability Implications

Similarly to equalities, the Core Strategy from which the Delivery DPD is drawn was the subject of a Sustainability Appraisal and Wildlife Habitat Assessment. The Delivery DPD is being prepared alongside a Sustainability Assessment with the outcome influencing the shape of

the Delivery DPD. Versions of the Sustainability Assessment will be published at key stages of the Delivery DPD process.

Report

- 1 Cabinet approved the Delivery DPD Public Participation on 26th March 2013 and public consultation was carried out between 8th April and 7th June.
- 2 Although the Public Participation included a general question on meeting the accommodation needs of Gypsies, Travellers and travelling showpeople including the opportunity to identify site options, public information was limited. At that time the jointly commissioned '*Buckinghamshire Gypsy and Traveller and Travelling Showpeople Accommodation Needs Assessment*' had not been completed. It is expected that the Needs Assessment will be completed by the time of the Cabinet meeting and made available on the Council's website (in accordance with Cabinet resolution of 26th March 2013).
- 3 Members will appreciate that this report is not included on the Cabinet Forward Plan as until recently it was not known when the Needs Assessment would be completed. The Chairman of the Housing and Planning Overview Committee has been informed that Cabinet is considering this report now as to wait until the 22nd October 2013 meeting would delay progress of the Delivery DPD (anticipated to be reported to Cabinet on 17th December 2013) and that the report itself is to enable further public consultation.
- 4 Officers have identified a 'long list' of site options to meet identified needs which has included reviewing information from a 'Call for Sites' earlier this year, representations received on the Delivery DPD Public Participation, from local knowledge and discussions at the Local Plan Policy Advisory Group (PAG).
- 5 The PAG has also advised the Cabinet Member for Sustainable Development that Supplementary Public Participation should be carried out on the potential list of sites being considered in order to get further views from the travelling community, settled community, landowners and other key stakeholders both on the list of potential sites/areas of search and ideas for other options for meeting accommodation needs.
- 6 The proposed Supplementary Public Participation Document is contained in Annex 1 and sets out background information and proposals which are not repeated in the main report. Members should note that Needs Assessment conclusions once available need to be added to paragraph 3.1 as these were not available at the time of drafting this report. An update on the Needs Assessment will be reported verbally at the meeting.

7 It is proposed that Public Participation is held between 2nd September 2013 and 14th October 2013 and carried out in accordance with the Council's Statement of Community Involvement. It is recommended that the Public Participation comprises:

- a) an advert on the Council website headline story board on the home page
- b) access to documents on the Planning pages of the Council website
- c) advanced notification sent to parish councils
- d) e-mails (where available) or letters to be sent to all statutory consultees, local groups, organisations and individuals on the Council's Local Development Framework consultation data base
- e) hard copies of the Supplementary Public Participation Document provided to all local libraries serving Chiltern residents
- f) letters sent to known traveller representatives not included on the consultation database
- g) letters sent to all known landowners of the site and area of search options
- h) hard copy document available at the Council Amersham Office
- i) e-mail notification to all Chiltern District councillors and staff in advance of the consultation process
- j) press release at the start of the consultation period
- k) advert in the Traveller Times (publication or website).

Background papers:

Local Development Scheme (LDS) 2012 to 2015
Core Strategy for Chiltern District
Core Strategy Sustainability Appraisal
Core Strategy Equalities Impact Assessment
Local Plan Policy Advisory Papers (*Confidential*)
Delivery DPD Public Participation Document
Representations received on the 'Call for Sites' 2013
Representations received on the Delivery DPD Public Participation
Chiltern Statement of Community Involvement
Buckinghamshire Gypsy and Traveller and Travelling Showpeople Accommodation
Needs Assessment (*expected to be available before the meeting*)

Delivery Development Plan Document

Gypsy Travellers and Travelling Showpeoples Site Options
Public Participation



September / October 2013

FOREWORD

The Council has reached a key stage in the preparation of its Delivery Development Plan Document (DDPD).

The DDPD follows on from the *Core Strategy for Chiltern District* which was adopted in November 2011. In order to deliver Policy CS14 of the Core Strategy, "Sites for Gypsies and Travellers and sites for Travelling Showpeople" the DDPD must identify site allocations for Gypsy, Traveller and travelling show people accommodation so as to meet identified needs.

The provision of local Gypsy and Traveller and travelling show people accommodation is a Government requirement and will need to form part of the DDPD.

This Public Participation is a supplement to one carried out on the emerging DDPD during April to June this year. It was not possible to include Gypsy, Traveller and travelling showpeople options in the earlier Public Participation as work on a joint accommodation needs assessment with other Buckinghamshire district authorities was not completed at that time.

This document sets out the findings of the needs assessment for Chiltern and identifies site and site search areas that the Council is considering. At this stage I welcome the views of the travelling communities, local residents, businesses, landowners, local organisations and other interested stakeholders to help influence this key part of the DDPD before formal public consultation early in the New Year.

Thank you for taking the time to read this Supplementary Public Participation document and I would encourage you to make representations.

All representations received within the Public Participation period will be carefully considered and taken into account in the formal publication version of the DDPD in the early New Year.

Councillor Graham Harris
Cabinet Member for Sustainable Development

Gypsies, Travellers and Travelling Showpeople Site Options: Public Participation

1. Introduction

- 1.1 Under the Housing Act (2004) Local Authorities are required to assess the accommodation needs of the population in its area. Section 225(1) of the Act refers to the requirement to carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to their district.
- 1.2 National planning policy on Gypsy, Traveller and travelling showpeople accommodation, Planning Policy for Traveller Sites (PPTS) paragraph 9 states that local planning authorities in their local plans must identify a supply of a deliverable (years 0-5) and developable (years 6-10 and 11-15) Gypsy and Traveller pitches and travelling show people plots within their area.
- 1.3 Policy CS14 of the adopted Core Strategy for Chiltern District states that sites for Gypsies and Travellers and sites for travelling showpeople in Chiltern will be allocated in the Delivery Development Plan Document, (DDPD).
- 1.4 In(date to be added).... the district councils of Buckinghamshire published a joint Gypsy and Traveller and Traveling Showpeople Accommodation Needs Assessment (available on the Council's website: *link to be added when known*). Prior to this the Council carried out a Public Participation on the key emerging issues for the DDPD (also available on the Council's website; <http://www.chiltern.gov.uk/article/2803/Delivery-Development-Plan-Document-DDPD>) which included draft site selection criteria, a potential site opportunity at Springfield Road Industrial Estate, Chesham as part of a wider redevelopment opportunity and an opportunity for site options to be nominated. In addition in January to March 2013 the Council had a call for sites. All of the above has been used to identify emerging options for meeting identified Gypsy, Traveller and travelling showpeople accommodation needs in the District. Additional site and area of search options (all within the Green Belt) are set out in this consultation and representations are sought on these options and for other options to be nominated. All representations will inform the pre-submission DDPD.
- 1.5 It should clearly be noted that because the Council has identified a site as part of this process, it does not mean that the use of any of these sites should be considered acceptable in planning terms or negate the need for planning permission. All sites are within the Green Belt and the use of land for Gypsy, Traveller or travelling showpeople accommodation is inappropriate within the Green Belt. It is only through the conclusion of the DDPD process (i.e. once the DDPD has been adopted) that the Council can identify sites within the Green Belt for Gypsy, Traveller or travelling showpeople. Unauthorised occupation of sites will be appropriately enforced.**

- 1.6 Public Participation will be carried out in accordance with the Council's Statement of Community Involvement and will run from 2nd September 2013 to 14th October 2013. Representations must be made in writing and can be submitted via e-mail or by post:

The Planning Policy Team, Chiltern District Council
King George V House
King George V Road
Amersham
Bucks. HP6 5 AW

planningpolicy@chiltern.gov.uk

All representations must be received by 5 pm on 14th October 2013.
Returned response forms will be available for public inspection.

If you would like to discuss any matter relating to the options for proposed sites for Gypsies, Travellers and Travelling Showpeople in the Delivery DPD or the Needs Assessment then please contact a member of the Planning Policy Team during normal office hours on (01494) 732269.

Response Forms are available on the Council website, limited numbers available at libraries, available in the Council Offices in Amersham or can be requested via the above postal address, e-mail address or telephone number. It is not essential to use the Response Forms as e-mails and letters will also be accepted however by completing a Response Form you will ensure the Council has the necessary information to process your response. Returned response forms will be available for public inspection.

2. Definitions

- 2.1 The term "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" (PPTS glossary)

- 2.2 The term "Travelling Showpeople" means:

Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently", (but excludes gypsies and travellers) (PPTS glossary)

3. Needs Assessment

- 3.1 The Buckinghamshire district council's have undertaken a joint accommodation needs assessment for Gypsies, Travellers and travelling showpeople; the Buckinghamshire Traveller Accommodation Needs Assessment. The Needs Assessment indicates that Chiltern will need to plan for additional:
- i) X Gypsy and Traveller pitches from 2013 to 2018 and X additional pitches from 2018 to 2023 (X in total); and
 - ii) X Travelling Showpeople plots from 2013 to 2018 and X additional plots from 2018 to 2023 (X in total).
- 3.2 The Needs Assessment covers the period from 2013 to 2023. The DDPD extends further to 2026. PPTS require Local Planning Authorities to make provision for the longer term, beyond that shown in the needs assessment. Therefore the work to find suitable sites / broad locations needs to have a degree of flexibility to relate to the longer time period.

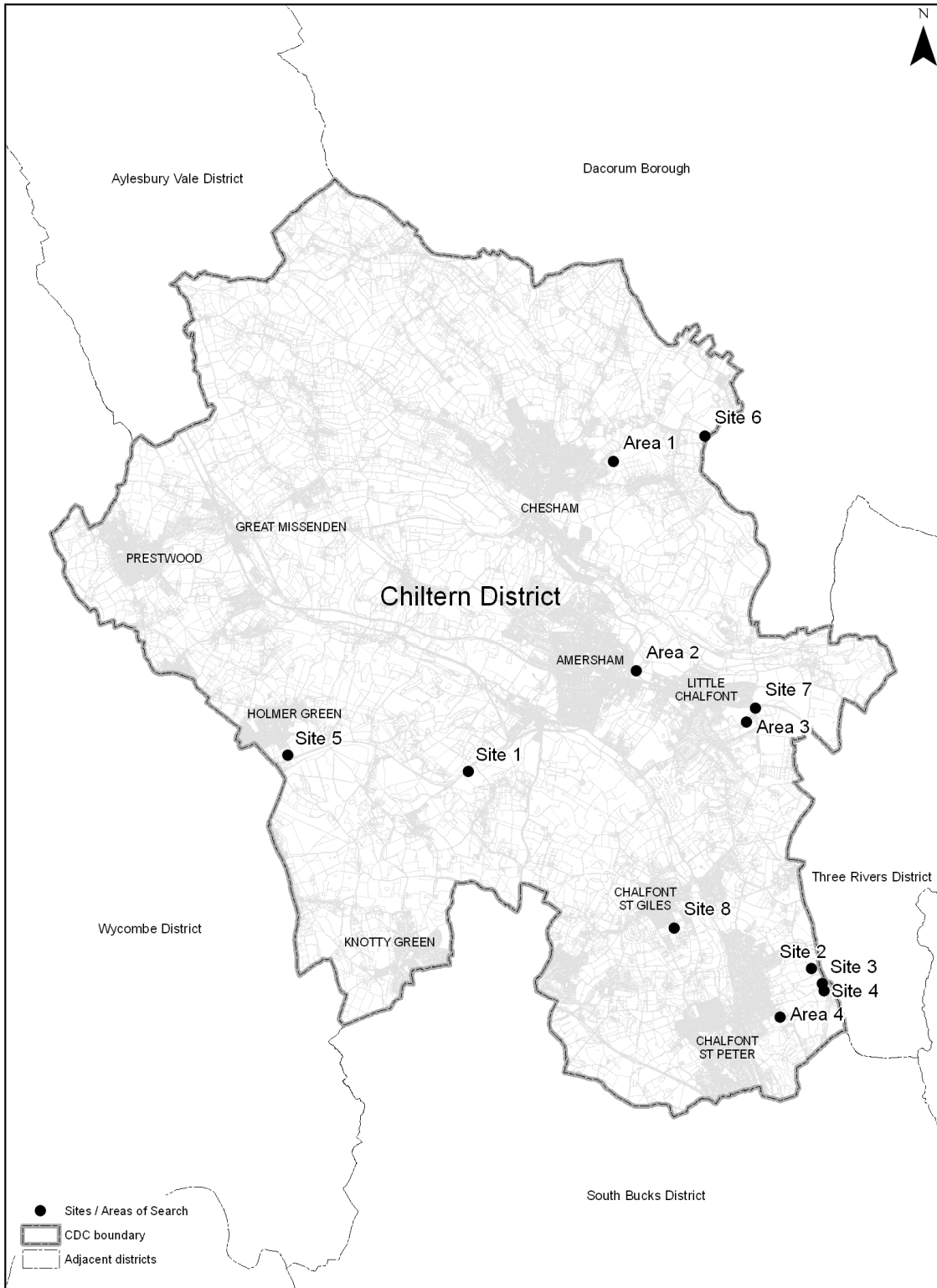
4. Potential Options to Meet Need

- 4.1 The Council have been proactive in trying to identify sites for use as Gypsy, Traveller and travelling showpeople accommodation. The Council held a 'Call for sites' from 17/1/2013 to 1/3/2013 where options for new sites were requested. Ideas from the 'Call for sites' plus other options have been tested against a set of draft site selection criteria, (as set out in Appendix 1). This process is not completed but has narrowed site options to a 'long list' of preferred options. At this stage the Council cannot say whether all options are deliverable and further testing is required. Representations are sought to inform this process.
- 4.2 The outcome of the recent DDPD Public Participation is yet to be determined and the potential site at Springfield Road Industrial Estate, Chesham has not been included in this consultation as this will be considered as part of the early consultation. Sites and areas of search identified in this consultation are additional potential options.
- 4.3 The following sets out the options for 8 sites and 4 areas of search, with key information including estimated capacity. The information provided includes facts known at the time. Known landowners are being consulted as part of this consultation.

Views are requested on the site options number 1 to 8 and areas of search numbered 1 to 4.

Nominations for additional or alternative sites and/or areas of search options are also welcomed.

Location Plan for Gypsy, Traveller and Traveling Show People Site Options



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5. Emerging Site Options: Extension of Existing Traveller Sites

Site 1: Waggoners Bit, Whielden Lane, Amersham (private site)

Existing Capacity: 1 Additional Capacity: 1 Potential Capacity: 2

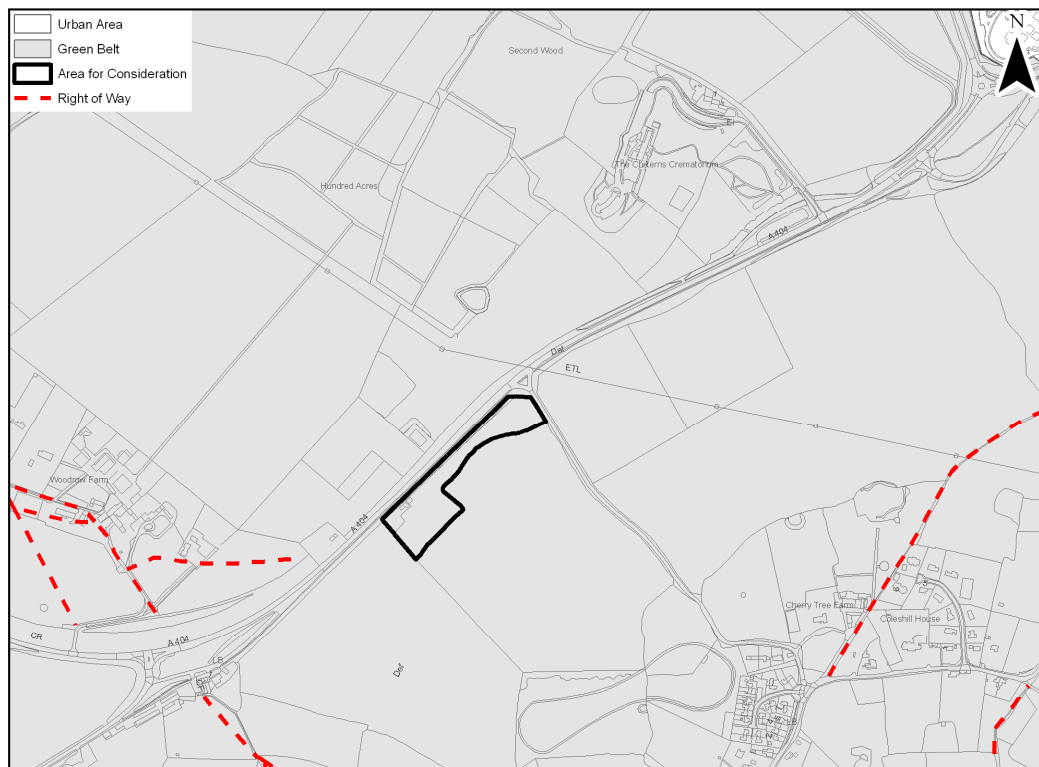
Current Use: Temporary Traveller site.

Site Constraints: Site is within the AONB and Green Belt. Small part of this site is within an Area of Critical Drainage.

Landscape Impact: Expansion of the site to the A404 boundary will have little impact due to existing hedgerows and screening.

Planning Permission(s): Temporary permission for use as one mobile home and one touring caravan, (CH/2010/0260/FA). Granted on special circumstances due to the needs of the occupants.

Deliverability: The site is owned by the occupants and they have suggested that there is scope for one more pitch as part of the call for sites.



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Site 2: Three Oaks Farm, Roberts Lane, Chalfont St Peter (private site)

Existing Capacity: 6 Additional Capacity: 3/ 4 Potential Capacity:9/10

Current Use: Permanent Traveller site.

Site Constraints: Site is in the Green Belt and in the safeguarded area of HS2 line (land above the tunnel).

Landscape Impact: Expansion of the site will have to provide adequate landscaping and screening.

Planning Permission(s): Continued use of land for the stationing of caravans for residential purposes for six Gypsy/ Traveller pitches (CH/2010/0192/FA).

Deliverability: Site is owned by the occupants who may be open to expansion to meet their family and/or others future accommodation needs.



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Site 3: Green Acres Farm, West Hyde Lane, Chalfont St Peter (private site)

Existing Capacity: 1 Additional Capacity: 1 Potential Capacity: 2

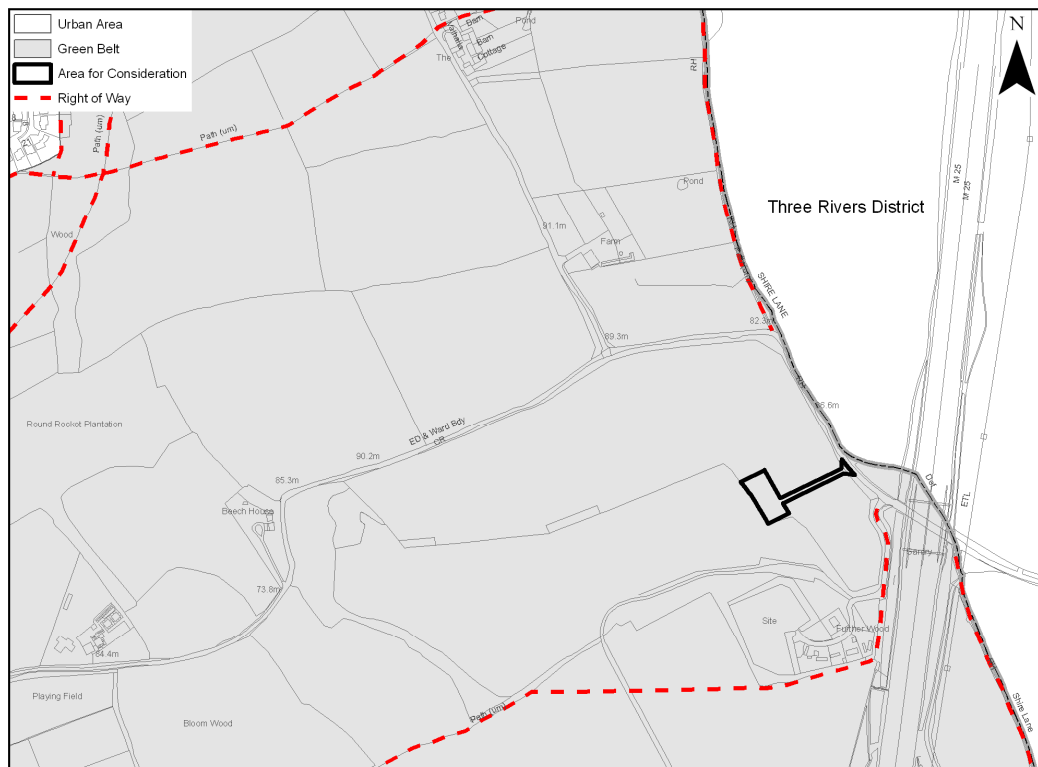
Current Use: Temporary Traveller site.

Site Constraints: Site is in the Green Belt.

Landscape Impact: Additional landscaping would need to be considered.

Planning Permission(s): Temporary planning permission for one pitch.

Deliverability: Site is owned by the occupants who may be open to expansion to meet their family and/or others future accommodation needs.



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Site 4: The Orchards, West Hyde Lane, Chalfont St Peter (public site)

Existing Capacity: 5 Additional Capacity: 6+ Potential Capacity: 11+

Current Use: Permanent Traveller site on a former landfill site.

Site Constraints: Site is within the Green Belt and has landfill gas issues for which land remediation maybe needed.

Landscape Impact: Expansion of the site will have to provide adequate landscaping and screening.

Planning Permission(s): Permission for 11 pitches; 6 have not yet been implemented due to potential landfill gas issues.

Deliverability: The site is owned by Buckinghamshire County Council and discussions are underway to explore potential expansion options. Expansion may be subject to remediation any landfill gas problems.



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6. Emerging Site Options: Existing Travelling Showpeople site with capacity for expansion

Site 5: Green Acres, Earl Howe Road, Holmer Green (private site)

Existing Capacity: 16 Additional Capacity: 3 Potential Capacity: 19

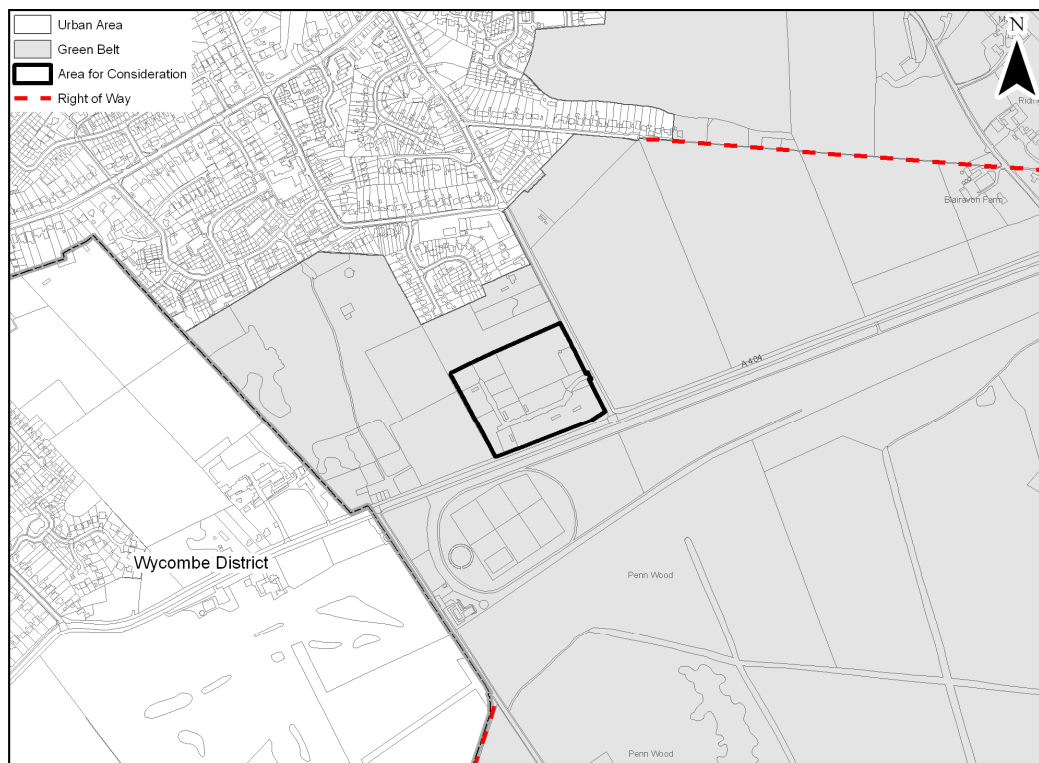
Current Use: Permanent travelling showpeople accommodation.

Site Constraints: None identified.

Landscape Impact: Expansion of the site to the north would not be prominent in the wider landscape due to the flat nature of the site and the screening along Earl Howe Road. Additional landscaping to be considered.

Planning Permission(s): Use of land to provide permanent Showmen's Quarters for 16 families, including use of land for storage of equipment, (CH/2011/1535/FA).

Deliverability: Site is owned by the occupants who may be open to expansion to meet their family and/or others future accommodation needs.



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7. Emerging Site Options: Other Sites for Gypsy, Travellers or Travelling Showpeople

Site 6: Land off Rushmore Lane, Ashley Green

Potential Capacity: To be determined.

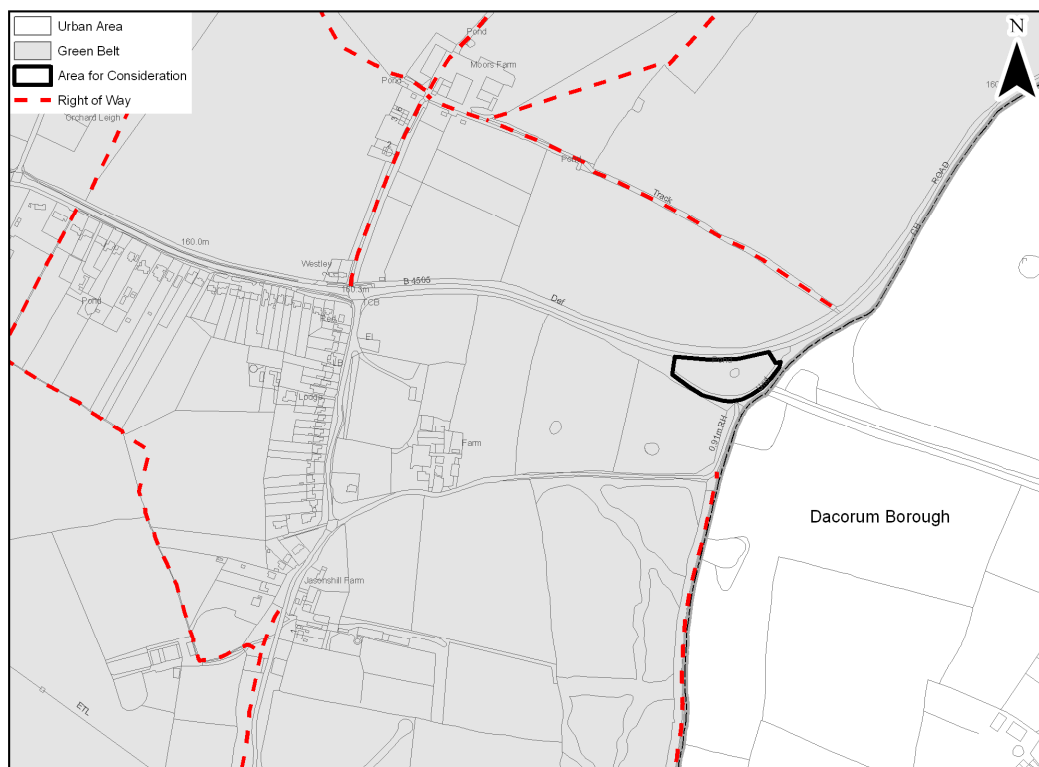
Current Use: Vacant land, formerly Highway land.

Site Constraints: The site is within the Green Belt and part of the site is within an Area of Critical Drainage.

Landscape Impact: Site would have to be designed to provide screening to the North.

Planning Permission(s): N/A

Deliverability: Buckinghamshire County Council own this site and will need to be contacted in order to test deliverability.



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Site 7: South of the railway Lodge Lane, Little Chalfont

Potential Capacity: To be determined.

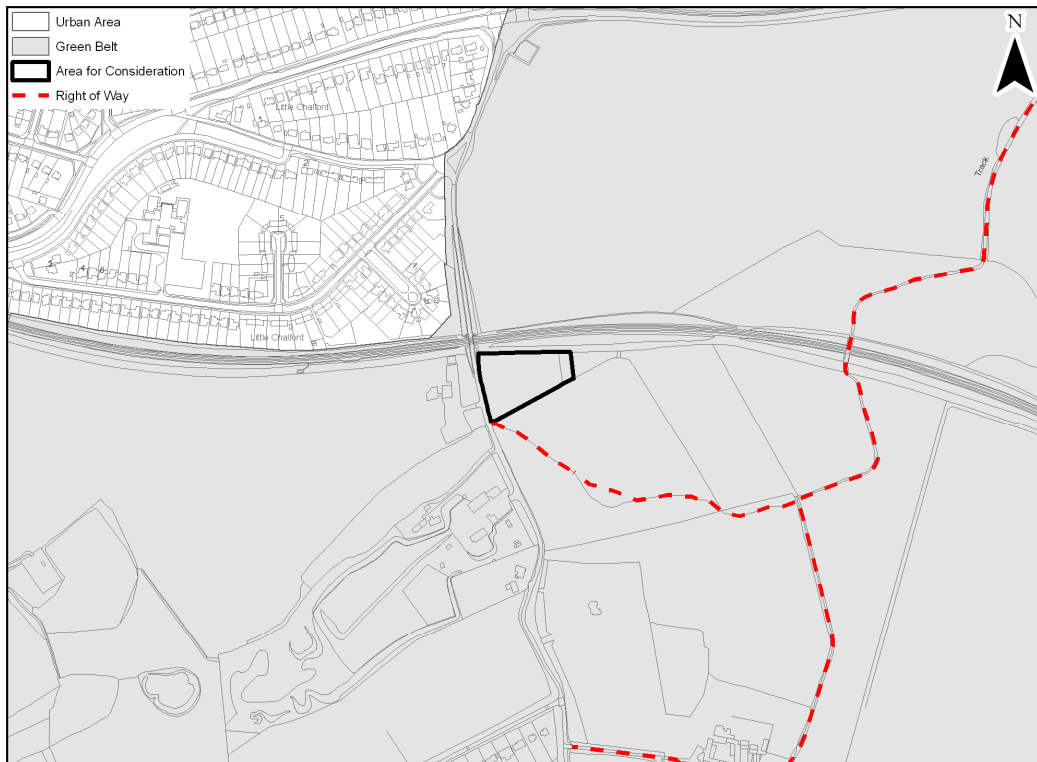
Current Use: The site is in temporary use for storage of building materials, portacabins and vehicles linked to maintenance work on the railway.

Site Constraints: The site is within the Green Belt and part of the site is within an Area of Critical Drainage.

Landscape Impact: The site would need to be designed to ensure that the nearby footpath was not affected by development. Additional landscaping would need to be considered.

Planning Permission(s): N/A

Deliverability: The landowner will need to be contacted in order to test deliverability following completion of the current railway works.



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Site 8: South of Top Farm, The Lagger, Chalfont St Giles

Potential Capacity: To be determined.

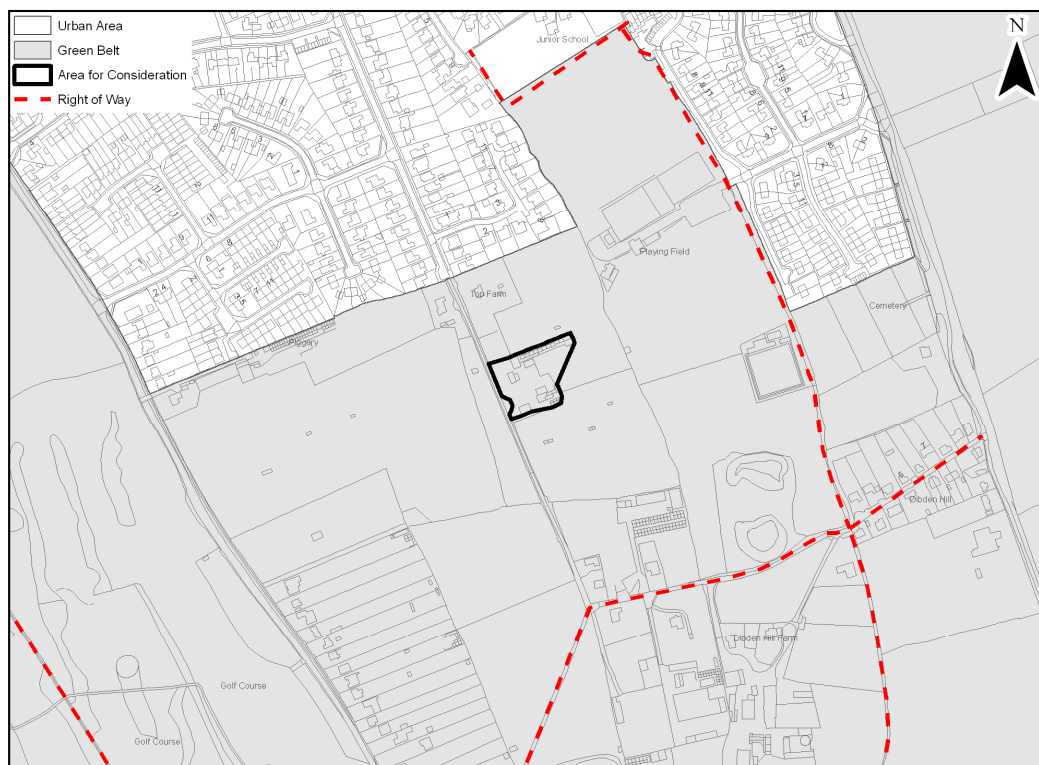
Current Use: Vacant (previously agricultural buildings now unused/partially derelict).

Site Constraints: The site is within the Green Belt and as buildings were used for agriculture, the site is not defined as previously developed land. Part of the site is within an Area of Critical Drainage.

Landscape Impact: There are some deciduous trees along the field boundary to the east outside the site. The site would need to be screened more fully to reduce visual impact; existing farm buildings could be retained to provide screening. Additional landscaping would need to be considered.

Planning Permission(s): N/A

Deliverability: The landowner will need to be contacted in order to test deliverability.



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8. Emerging Site Options: Areas of Search (Broad Locations)

Area 1: Area of south of Lye Green Road, Chesham

Potential Capacity: To be determined.

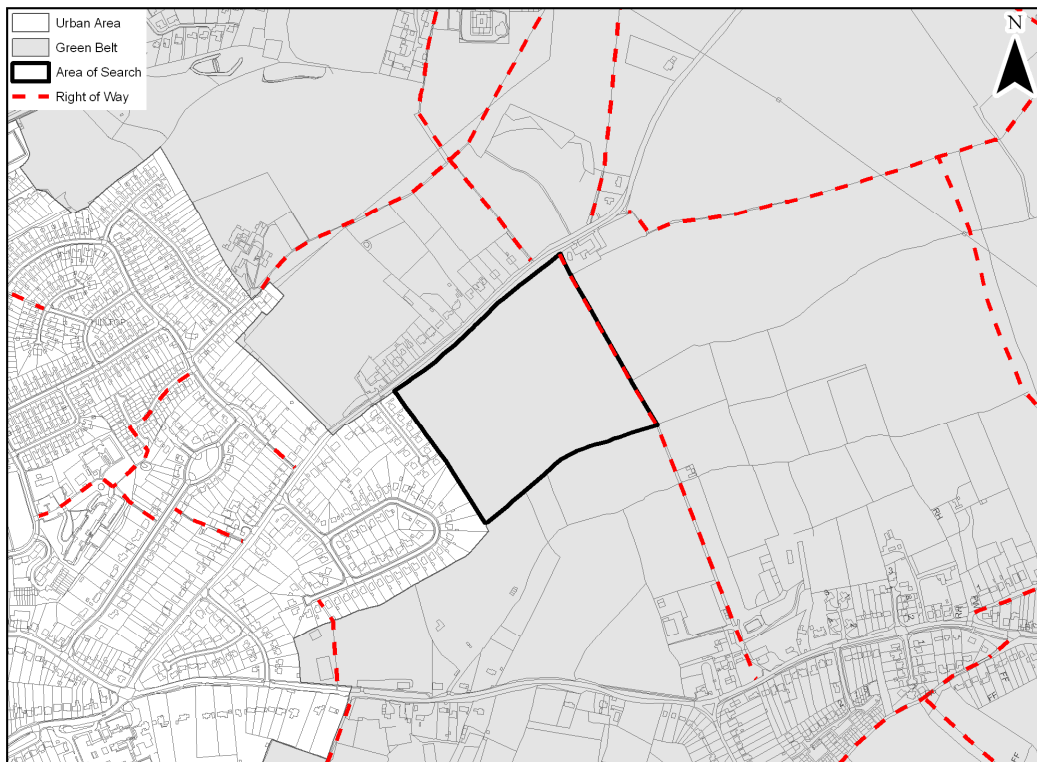
Current Use: Agricultural use.

Site Constraints: Site is within the Green Belt. A small part of the area for search is within an Area of Critical Drainage.

Landscape Impact: There is thick deciduous tree cover along Lye Green Road as well as the southern boundary of the site; development in the Western corner would not result in an adverse impact to the wider landscape. Additional landscaping may be required depending on which part of the area of search is considered.

Planning Permission(s): N/A

Deliverability: The landowner will need to be contacted in order to test deliverability.



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Area 2: South of Raans Road, Amersham

Potential Capacity: To be determined.

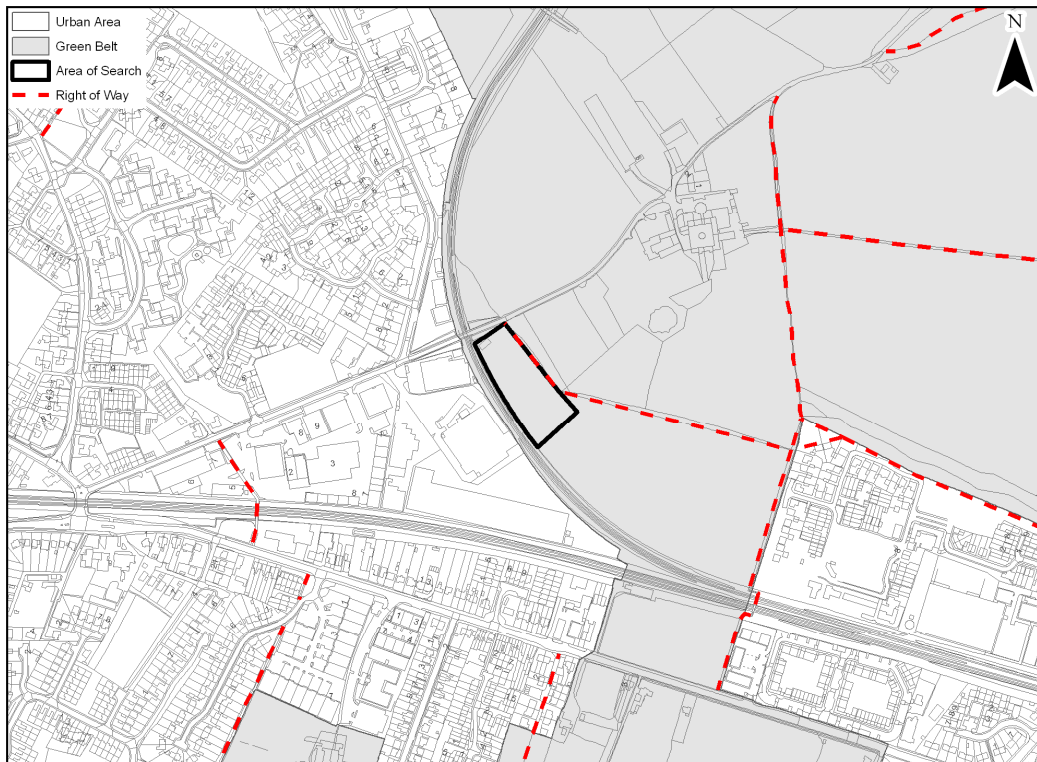
Current Use: Agricultural Use.

Site Constraints: The site is within the Green Belt and part of the site is within an Area of Critical Drainage.

Landscape Impact: The site would need to be designed to provide additional screening from the public footpath and additional landscaping may be required depending on which part of the area of search is considered.

Planning Permission(s): N/A

Deliverability: The landowner will need to be contacted in order to test deliverability.



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Area 3: Honors Yard, Lodge Lane, Little Chalfont

Potential Capacity: To be determined

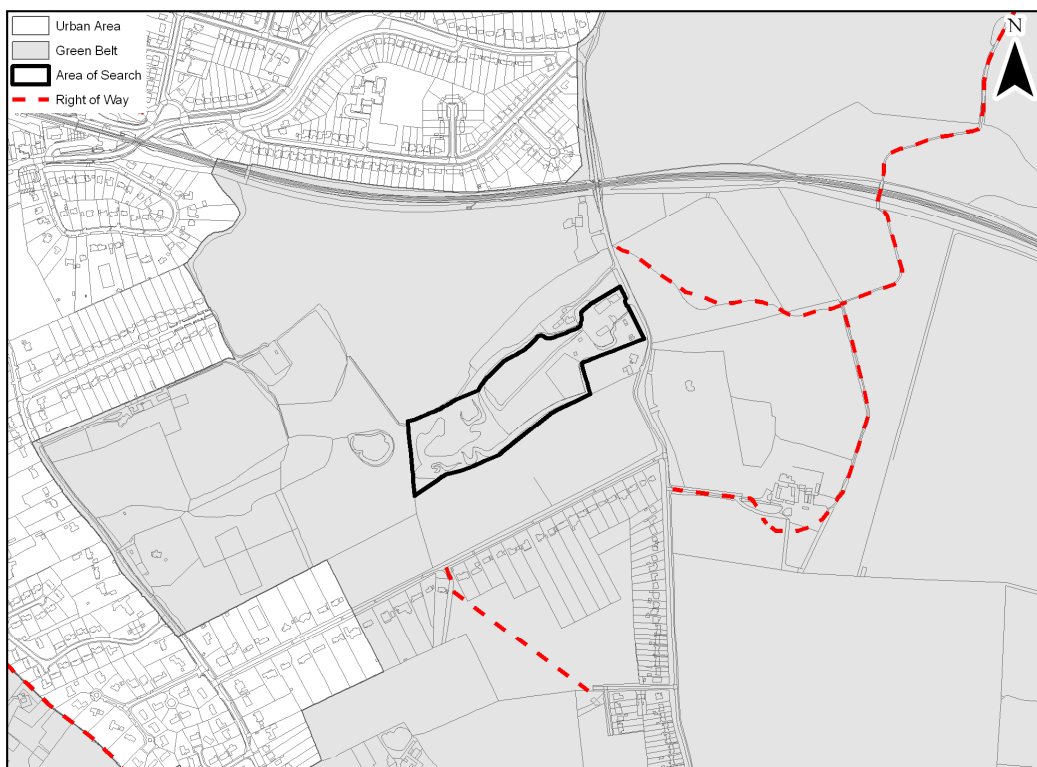
Current Use: Part of the site is used for Light Industrial and Storage of building materials; other parts of the site are vacant.

Site Constraints: Site is within the Green Belt and there is the potential of land contamination.

Landscape Impact: Boundary is heavily wooded and therefore there is adequate screening. Additional landscaping may be required depending on which part of the area of search is considered.

Planning Permission(s): A proposal for a replacement B1 office building in the centre of the site was permitted in September 2011 and was completed in March 2012 (CH/2011/1055/FA)

Deliverability: The landowner will need to be contacted in order to test deliverability.



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Area 4: South of Winkers Farm, Denham Lane, Chalfont St Peter

Potential Capacity: To be determined.

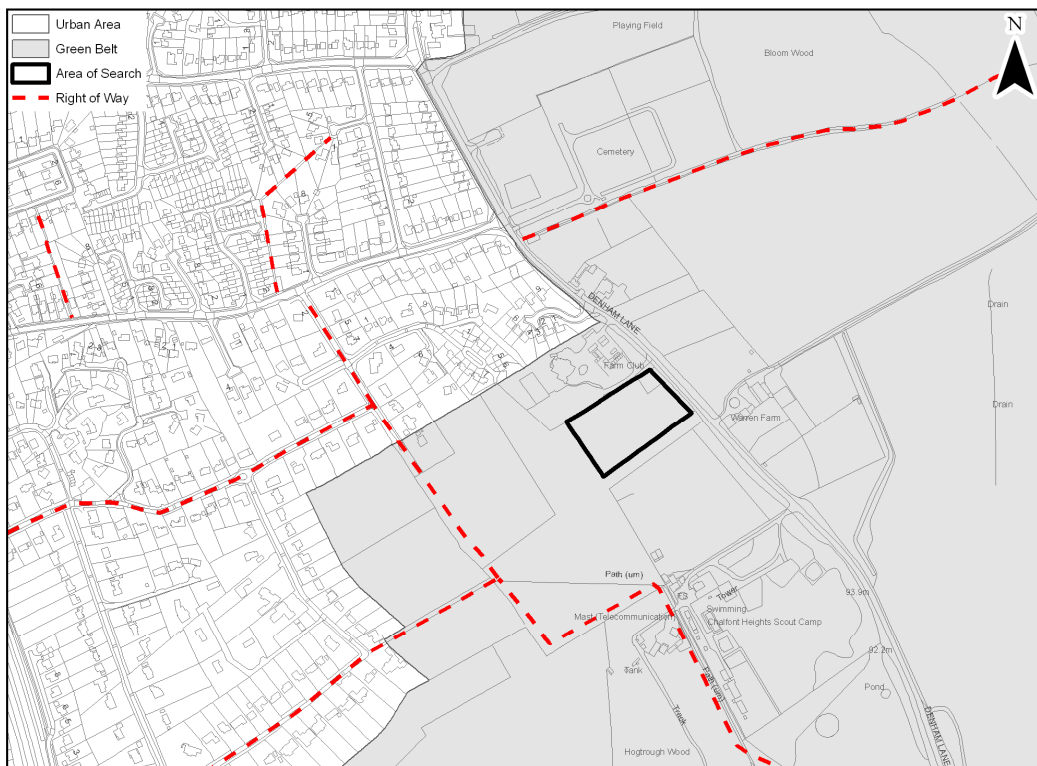
Current Use: Agricultural Use.

Site Constraints: The site is within the Green Belt.

Landscape Impact: Site is enclosed due to thick and high deciduous screening to the East and evergreen trees to the South and West.

Planning Permission(s): N/A

Deliverability: The landowner will need to be contacted in order to test deliverability.



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