

Winchester District Gypsy Traveller and Travelling
Showpeople Development Plan Document
'Traveller DPD'

DUTY TO CO-OPERATE STATEMENT UPDATE

Winchester City Council

May 2018



WINCHESTER DISTRICT
TRAVELLER DEVELOPMENT PLAN DOCUMENT
DUTY TO COOPERATE STATEMENT UPDATE

Introduction

- 1 The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) places a legal duty on local planning authorities, County Councils and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plan.
- 2 Cross-boundary working has been embedded in the formulation of the Traveller Development Plan Document (DPD) from the outset, which is detailed in the [Duty to co-operate Statement](#) already published. The Council considers that it has engaged positively with neighbouring authorities through the commissioning of key studies that contribute to the evidence base. In addition it has had ongoing discussions particularly with neighbouring authorities throughout the process to specifically explore options to resolve the ongoing issue of lack of sites within the Winchester District to meet its identified needs for travelling showpeople.
3. The following summarises actions taken regarding the Duty to Cooperate in relation to preparation of the DPD since publication under Regulation 19 – pre-submission in January 2018.

Duty to Cooperate Actions up to May 2018

4. The Council has continued to meet neighbouring local authorities as part of its on going liaison, this has included discussion of a range of planning policy matters including gypsies and travellers.
5. A meeting was held with Eastleigh Borough Council on 12 January 2018 between officers of both planning policy teams. The purpose of the meeting was primarily to discuss progress with Eastleigh's Local Plan, however WCC also requested whether there were any available sites in Eastleigh Borough that could address the shortfall in provision of travelling showpersons plots in the Winchester District, agreed notes of the meeting state:-

WINCHESTER GYPSIES AND TRAVELLERS DPD

JN confirmed reg 19 plan will be published on Monday, aiming for submission in May.

Still a shortfall in meeting their travelling show people need, and GT confirmed Eastleigh does not have the capacity to meet this.

6. Havant published its draft Local Plan for consultation on 8 January 2018, to which the Council made a number of comments on 12 February 2018, including the following extract which refers specifically to gypsy and traveller provision, (the full response is set out at Appendix 1):

'The policy of meeting identified traveller needs is welcomed (policy H5). However, the City Council has notified the Borough Council of its inability to meet identified needs for travelling showpersons' accommodation, which are most significant in southern Hampshire. These needs should be acknowledged as an 'identified need' within the terms of policy H5, allowing a permissive approach to be taken towards any sites that may come forward and which meet the requirements of policy H5. In addition, paragraph 6.57 appears to seek to impose a requirement for a local connection which would conflict with the Government's Planning Policy on Traveller Sites (paragraphs 11 and 24[e]) and conflict with the Duty to Cooperate by preventing traveller needs from being met where they cannot be accommodated an adjoining authority. This requirement should, therefore, be deleted. '

7. A [Statement of Common Ground](#) has also been agreed between the Council and the South Downs National Park Authority in response to issues in its emerging local plan including provision for Gypsies and Travellers. This concludes :

'However, the Winchester Traveller DPD has been unable to identify sufficient travelling showpersons' sites to meet the identified need and has requested neighbouring authorities (including the SDNP Authority) to assist under the Duty to Cooperate. Despite carrying out a joint site assessment study with WCC and East Hampshire District Council¹, the SDNP Authority has also not been able to identify any suitable or available sites which could assist in providing for travelling showpersons and therefore the authorities agree that any applications in the future will be considered on their merits as necessary.'

8. Given, that the Council has been unable to identify sufficient sites to meet its identified need for travelling showpersons, further requests were made of neighbouring local authorities following the close of the consultation under Regulation 19 and prior to submission. This included an email to neighbouring local planning authorities on 23 April 2018, requesting if any sites had become available, to be considered for the need in the Winchester District. This is set out at Appendix 2.
9. Responses were received from Portsmouth, Basingstoke and Dean and East Hampshire – these are appended at Appendix 3 and demonstrate that these authorities cannot offer Winchester any assistance, they are in fact faced with a similar position to Winchester with few available sites to meet their own identified needs.

Conclusion

10. The Council has explored a number of options to delivering its gypsy and traveller and travelling showpersons identified needs as set out in Policy DM4 of Local Plan Part 2 adopted in April 2017. However, despite this it has been unable to identify sufficient sites to meet its need for 24 travelling showpersons plots over the period 2016 – 2031.
11. Consequently at every opportunity the Council has sought assistance from its neighbours, which is documented in this statement and that previously published under Regulation 19.

Appendix 1

WCC response to Havant draft local plan 12 February 2018

Attn. of David Hayward

Planning Policy Team Leader

Planning Services,

Havant Borough Council,

Civic Centre Way,

Havant,

PO9 2AX

Your Ref: HBLP 2036

Our Ref: SO/P05.05.00

Enq to: Steve Opacic

Direct Line: 01962 848101

Email: sopacic@winchester.gov.uk

12 February 2018

Dear David,

Draft Havant Borough Local Plan 2036

Thank you for consulting the City Council on the Draft Havant Borough Local Plan 2036. The Draft Plan does not raise any issues that warrant the City Council making formal representations, but we would make the following officer comments and suggestions.

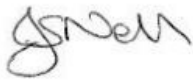
It is noted that the Draft Plan exceeds the housing requirement set out in the PUSH Spatial Position Statement and extends this to 2036. As the Government's proposed standard methodology for determining OAN is likely to be in place by the time the Plan is submitted for examination, this has been used as the Plan's OAN. This is welcomed as it is important in terms of addressing strategic issues in the sub-region, under the Duty to Cooperate. The PUSH Position Statement's policy H1 suggests that *'local authorities should actively seek opportunities to identify additional potential for housing provision to address the shortfall against the objectively assessed need through the local plan process'*. It appears that the Plan has sought to do this and this approach should be maintained in view of the wider needs of the PUSH area.

The inclusion of the various Key Sites is welcomed, particularly Berewood and Wellington Park, and policy KS9 is supported. The revised policy for the Blue Star site (H43) is noted and supported.

The policy of meeting identified traveller needs is welcomed (policy H5). However, the City Council has notified the Borough Council of its inability to meet identified needs for travelling showpersons' accommodation, which are most significant in southern Hampshire. These needs should be acknowledged as an 'identified need' within the terms of policy H5, allowing a permissive approach to be taken towards any sites that may come forward and which meet the requirements of policy H5. In addition, paragraph 6.57 appears to seek to impose a requirement for a local connection which would conflict with the Government's Planning Policy on Traveller Sites (paragraphs 11 and 24[e]) and conflict with the Duty to Cooperate by preventing traveller needs from being met where they cannot be accommodated an adjoining authority. This requirement should, therefore, be deleted.

I hope the above comments are helpful and I am happy to discuss them further if you wish.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jenny Nell', is positioned above the typed name.

Jenny Nell

Head of Strategic Planning

Appendix 2

Request to neighbouring authorities to help meet the needs of travelling showpeople

From: Kate Evans

Sent: 06 November 2017 11:22

To: 'localplan@eastleigh.gov.uk'; 'planningpolicy@fareham.gov.uk';
'david.hayward@havant.gov.uk'; 'planningpolicy@portsmouthcc.gov.uk';
'planning.policy@testvalley.gov.uk'; 'localplan@easthants.gov.uk'; 'ldf@basingstoke.gov.uk';
'ldfconsultation@hants.gov.uk'; 'lucy.howard@southdowns.gov.uk';
'gloria.ighodaro@push.gov.uk'; 'planning@hants.gov.uk'; 'Sarah.Nelson@southdowns.gov.uk';
'planning.policy@hants.gov.uk'; 'David.Illsley@newforestnpa.gov.uk';
'mark.williams@nfdc.gov.uk'; 'Dawn.Heppell@southampton.gov.uk';
'daniel.hawes@hart.gov.uk'; 'nick.irvine@rushmoor.gov.uk'; 'Oliver.Boulter@iow.gov.uk'

Cc: Jenny Nell

Subject: Winchester Traveller DPD request for sites for Travelling Showpersons

Dear all

Winchester is progressing with its Traveller DPD, however, we are struggling to meet our OAN for Travelling showpeople. The pitch/plot requirement is established in adopted [local plan policy](#), (15 gypsy/traveller pitches and 24 travelling showpersons plots in the period 2016 - 2031) The Council has undertaken the following in terms of exploring options to identify sufficient sites, at the present time there remains a shortfall of about 15 travelling showpersons plots:-

- Three 'calls for sites' during October - December 2016, March – May 2017 and July – September 2017 – no sites for travelling showpersons were received;
- Planning permission granted for 3 plots at the Nurseries, Shedfield – September - December 2016;
- Proposals in draft Traveller DPD, published for consultation July – September 2017:
 - (i) Gain of sites on an established site currently the subject of an Enforcement Inquiry (estimated at +3 plots) at Carousel Park, Micheldever (Policy TR3)
 - (ii) Regularisation of sites with a temporary consent +3 plots at The Nurseries, Shedfield (Policy TR4)
 - (iii) Potential for intensification/expansion on existing sites within the parameters of Policy TR6

- Use of its own land holdings – para 5.1 of CAB2947(LP) confirmed that the Council does not currently control any land or premises that is suitable or available for traveller sites;
- CAB2947(LP) included an additional recommendation to undertake an assessment of sites that could potentially be acquired on the open market. This process has been completed and it is concluded that no suitable sites have been identified to take this option forward.
- The recent Regulation 18 consultation provided the opportunity to formally request of immediate neighbouring planning authorities under the duty to co-operate whether any sites could be identified to deliver any of the unmet need in the Winchester District, no sites were forthcoming.

Therefore, I'd be grateful if you give consideration to the capacity of your district and whether any sites are available that could be identified to meet the needs of Travelling Showpeople in the Winchester district, or indeed if there are any other options that the Council could consider to resolve this matter. It would be much appreciated if you could respond by 20 November 2017.

regards

Jenny

Jenny Nell

Head of Strategic Planning

Strategic Planning

Winchester City Council

City Offices

Colebrook Street

Winchester

SO23 9LJ

Appendix 3 Responses from neighbouring authorities to help meet the needs of travelling showpeople

Many thanks for your email of 23 April 2018. Portsmouth City Council and Winchester City Council have worked collaboratively on strategic and cross-boundary planning issues for many years, including the production of the PUSH Spatial Planning Position Statement.

As part of bringing forward a new Local Plan, the Council is currently commissioning a study to consider any needs for Gypsy, Traveler and Travelling Showpeople accommodation. The Council is also undertaking a full review of its Housing and Economic Land Availability Assessment to investigate the capacity of the city to accommodate development, including if necessary any sites for travelling showpeople. Although this work is still ongoing, the densely developed nature of the city, lack of sites available for development and presence of a number of ecological constraints severely limit opportunities for new development outside of the urban area.

Therefore I can confirm that at present I not aware of any sites which may be appropriate for use by travelling showpeople.

Toby Ayling - Planning Policy Manager

Directorate of Regeneration

Portsmouth City Council

Civic Offices

Guildhall Square

Portsmouth PO1 2AU

Toby.Ayling@portsmouthcc.gov.uk

02392 437863

Dear Jenny

Thank you for your further correspondence regarding the issues associated with future travelling showpeople accommodation provision within the Winchester district. We understand from your email that there is still likely to be an outstanding need for travelling showpeople plots in the Winchester district following adoption of the Traveller DPD, and that consequently you are making a renewed request for other local authorities to help meet this need.

However, the position in relation to Basingstoke and Deane Borough Council remains as previously stated, namely we cannot currently meet our own 5 year land supply requirements. In addition, a call for future development sites conducted last year has not yielded any sites being promoted for gypsy and traveller/travelling showpeople provision. Similarly, the council has considered its own assets and no suitable sites have been identified.

There remains pressure in the borough to provide further pitches, as evidenced by a number of live planning applications and appeals currently being considered. An appeal was also recently allowed for the regularisation of an unauthorised site, with the Inspector making reference to the borough's current unmet need and lack of available sites.

In light of the on-going pressure within the borough to accommodate the needs of gypsies and travellers, particularly in terms of accommodating short term needs, the lack of available sites and the longer term strategy to accommodate pitches on allocated housing sites, there are still no suitable opportunities within the borough that could be identified to meet the needs of Travelling Showpeople in the Winchester district.

Kind regards

Joanne

Joanne Brombley
Planning Policy Manager
Basingstoke and Deane Borough Council
Tel: 01256 845410

Joanne.Brombley@basingstoke.gov.uk

www.basingstoke.gov.uk

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Dear Jenny

Further to your recent email regarding the above, unfortunately East Hampshire District Council are not in a position at present to be able to provide sites to assist with your need. We are currently in the process of reviewing our Local Plan, and until our Call for Sites and associated assessment of the sites has been completed, we are unsure whether we will be able to meet our own need.

However, in future if we appear to have an oversupply of available sites we will liaise under the duty to cooperate.

Regards

Amanda Dunn
Amanda Dunn
Principal Policy Planner
East Hampshire District Council
Penns Place, Petersfield GU31 4EX
Telephone: 01730 234213